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For the New-Yorker.

[illegible] OF PROFESSOR C. L. DA PONTE.

and de[illegible] BY C. DONALD MACLEOD.

Friend, thou hast left the earth, were thou wert loved so well
[illegible] long,
To seek the bright reality of thy dream-land of song:
The pulseless hand may try no more the wild harp's quivering thrill;
The harp that woke its music lies forever hushed and still—
The earth that gave thee being, Friend, hath told thine hour of rest,
And opened her green arms to woo thee [illegible] upon her breast.
We laid thee there in sorrow, and [illegible] changing mold
Upon the form it girdled in, all [illegible] cold.
But the eternal essence, whose [illegible] did not die,
The star-lamp that was golden within the spirit's sky,
Hath joined the deathless planet-souls of poesy, who throng,
Guarding, like angel watchers, o'er the laughing wave of song.
Farewell!—thy star has faded forever from its sphere,
But will not be forgotten soon by those who loved thee here.
No! as the imprisoned sunlight in the topaz-jewel lies,
As amethysts retain the blue drawn from the wooing skies,
So, though thy skies are darkened, thy sun forever set,
The soul-light thou hast left us shall [illegible] memory yet.

February 1, 1840.

For The New-Yorker.

LAW REFORM.

In this city, the Circuit Court, Superior Court and Common Pleas are now in session [illegible] and have on their calendars about 2200: the Circuit has, the Superior Court 800, and the Common Pleas 700. This is not the precise number on either calendar, but is substantially correct, and sufficiently so to enable me to present some views worthy of public attention. The taxable costs of these causes on both sides will average $150 each. I speak with a knowledge of facts. The costs of these 2200 suits will therefore amount to $333,000. This is something of a tax. At the rate at which many respectable families in this city live, and are obliged to live, say $100 each, this sum would pay the expenses of 825 families for an entire year. This sum, it must be remembered, is the amount of taxable costs of the suits on the calendars of these three Courts for the present sessions only. Of course, it embraces no part of the costs of other causes on the calendar for other terms, and gives but a feeble idea of the *cost* of the litigation conducted in New-York City for an entire year. The view here taken comprises only the causes in *three* Courts, and noticed for a single term of each of those Courts. The Court of Chancery, United States Circuit and District Courts, the Criminal Courts, the Marine Court, and Assistant Justices' Courts, are overlooked in the view taken by this article. The annual expenses of the business transacted in these Courts is something. It is foreign to the purpose of this article to state it. But *one million of dollars* will not pay it for the city of New-York. Of this I may give particulars in a future article.

To return to the three Courts now sitting under one roof, and their business for their present terms: how shall this expense be suitably diminished, and what principally occasions it?

I will answer the latter question first. Many doubtless suppose it must be charged in a good degree to the legal profession; that if their fees were reduced one-half, they would be well paid for their services, and the evil remedied. Others are for abolishing all laws, and excluding all precedents and authorities from the consideration of the court and jury, and re-enacting necessary laws with simplicity and brevity, and having each cause decided by a jury according to the right of the matter, as they may understand it, and without the privilege of renewing or appealing from their decision. Others are for remodeling our Judiciary System, abolishing the [illegible] Judge, and compelling the Justices of the Supreme Court to ride the circuits.

As to the relief to be experienced from reducing the fees of lawyers, I here remark candidly, so far as the change would affect myself, and truly as to the views of a great majority of the bar, *that the profession would not complain if the fee bill is entirely abolished.* Merely diminishing their taxable compensation will not of itself produce a particle of benefit. ABOLISH THE FEE BILL. Let lawyers, like the other laboring classes, make such bargain with their employers as shall be satisfactory to both. Two good results will attend this. If the taxable costs produce the delays and generate the business which clog the wheels of justice, then surely the abolition of the fee bill will prevent such results in the future. If the accumulation of business and the delay in disposing of it are not caused by a desire and effort to make costs, then the public will know that some other cause for the evil must be sought, and the unjust prejudice now existing against the profession as a body will be removed.

Abolishing the fee bill, without entirely remodeling the forms of legal proceeding, would only shift the expense of litigation from the debtor to the creditor. The labor now performed cannot be done at a price much reduced; but it is in the power of the Legislature to dispense with it. Much that now *must* be done might be left undone, if the law allowed it. Instead of a declaration of 600 words upon a promissory note, it might be in this form, viz:

N. Y. Supreme Court.—John Doe and Richard Roe *vs.* James Jackson and John Stiles—B. S. I., Attorney.—This suit is brought by filing a copy of this paper with the Clerk of this Court at Geneva, to recover the amount of a note, of which the following is a copy, viz:

$1000 NEW-YORK, January 1, 1840.

Ninety days from date, for value received, I promise to pay one thousand dollars to the order of John Stiles, at the Merchants' Bank, in the city of New-York.

(Signed) JAMES JACKSON,
(Signed) JOHN STILES.

This note is now owned by the plaintiffs. Unless you appear and defend the suit within twenty days after personal service on you of a copy hereof, judgement will be perfected against you for the amount due on the note, and execution issued thereon. If you appear and defend the suit, it will be tried in the City and County of New-York.

B. S. I., Plaintiffs' Attorney, N. Y.

This is a perfect declaration. It apprises the defendant in intelligible language of every thing he wishes to know;—whereas a common declaration *discourses of every thing but a note*, cannot be understood by ordinary lawyers, and yet must be drawn with such exact conformity to established rules that, for a slight departure from them even in forms, the declaration would be adjudged bad, and the plaintiff turned out of Court, charged with the costs of the suit, and compelled to start anew. Filing such a paper, and serving a copy of it on the defendant personally, might be deemed the commencement of a suit. If the defendant wished to resist the collection of it, he should state as concisely his defence. The plaintiff should not be required to prove the execution of the note, unless the defendant denied the signature to be his by affidavit. All *special pleading* should be abolished. The defendant should state his defence in the form of a *notice*. The difference in expense and expedition between the two is very great; though persons unacquainted with the forms of legal proceedings cannot easily be made to understand why it should be so. The Legislature, in simplifying proceedings, would do well to say what should be a good declaration, plea and judgement record. The latter might begin by stating when and where the notice or paper served on the defendant was filed; then set forth a copy of it, (and if he defends) his answer to it, where and when tried, the verdict and award of judgement. There should be none of the rigmarole of memoranda, suggestions, continuances, entries, &c. This of itself will diminish a lawyer's manual labor nearly two-thirds. Subpœnas should be abolished.—A note to a witness of the time and place at which his attendance was required, if his fee was paid, should compel his attendance. Affidavits of merits should be abolished, unless the defendant state the nature of his defence as that it is payment, set-off, or whatever else it may be. Thousands swear to merits, and thus put off the trial of their causes until older issues are disposed of, or in common parlance, until all suits previously commenced and in readiness to be heard, are tried. When reached and called for trial, the defendant does not appear, thus proving one or two things: that he has morally, if not legally, committed perjury, or that he is at last willing, after having quadrupled the expense by his proceedings, to have a recovery against him for a claim to which he has a good defence on the merits, with this heavy amount of useless costs superadded.

The form of a Declaration upon an account, might be such as I have given above, except that instead of the copy-note, it should contain the date of the Bill, its amount, and the term of credit, with one or two other slight verbal changes.

Most all the suits on the calendars above alluded to, are on notes, bills of exchange, and matters of account.

Expenses may be reduced in various other respects.

A fee of 21 cents is paid to the crier of the court for any suit which is commenced. That is a Bill of $420 for the 2,200 suits spoken of. This will buy 336 acres of prairie land at Government prices. Why should this expense be paid? The crier takes no part in bringing a suit, has no knowledge of it, except as he searches the clerk's office to see what and how many suits have been brought, and how much is due to him on that account. The bare statement of this item, shows that nothing is more unreasonable.

For taxing costs in each suit 50 cents is paid, making $1,100. By repealing the fee bill this becomes unnecesary. Every time a cause is *noticed* for trial the clerk must be paid 2s. 6d., and if it is tried, the fees of the trial are to be added. Of these 2,200 suits, three quarters of them will be on the calendar on average of four times at least. The clerk's fee in each suit for four times is 10s., or $2,062 50, for placing 1,650 of those causes on the calendar four times.

The Sheriff has a fee of 50 cents for each cause *noticed* for trial, whether tried or not, making $1,100 for summoning the jurors for these three courts for their present term. His fees for serving declarations on as many men as he would summon as jurors would be about $50. For the 1,650 causes noticed for four terms his fees would be $3,300, while the compensation of the jurors who try them is only $2,475; that is, during the four terms of these three courts, at least five hundred men are employed in trying causes, and taken from their business, and about one hundred *constantly*, for which they are paid $2,475. This $2,475 is the compensation of one hundred men constantly occupied during four terms of these three courts. The Sheriff, for summoning them, which is a work of *less than a week in the aggregate*, receives $2,200. Perhaps something may be done here. For the 700 causes on the calendar of the circuit court, the circuit Judge receives a fee of $2 50 each, as soon as they are put on the calendar; amount, $1,750.—A fair item. This he receives the second time the cause is noticed. If only three quarters of the number are noticed more than once, then for 525 of these causes he has received a further trial fee of twenty shillings, each amounting to $1,312 50; total, $3,062 50. This is enough to give a fair support; still this is a salary office, whose incumbent receives in the shape of salary, perquisites, trial fees, &c. at least $100,000 per annum.

In commencing any suit in the Common Pleas or Superior Court, a fee of seventy-five cents must be paid, and one dollar and fity cents on noticing the cause for trial, making two dollars and a quarter each for 1,500 of those 2,200 causes; total, $3,375. This is perhaps as good a mode of receiving a tax for the support of Government as any other; but whether it be so or not, it is well the fact should be known. To describe the other particulars in which the costs of these 2,200 suits can be reduced, will make this too long for a single article. These will be given hereafter if this notice of the subject is deemed of sufficient consequence to be given to the public. Various suggestions for improving the practice of the law, and cheapening and simplifying its proceedings will be also made. B. S. J.

GEMS AND GLEANINGS,

From the Last Southern Literary Messenger.

It has been our custom to ramble at will over the pages of this excellent monthly at each successive issue, amending and condemning as our judgement should dictate. The appearance of a double number this month, however, has compelled us to trespass considerably on our limits in pursuing our usual plan. There are so many good things in it that we cannot forego the pleasure of quoting a series of short extracts which we penciled in perusing the number before us.

The first is from a wild, dreamy poem, entitled "Iruri, or the Bride of a Star:"

THE EGYPTIAN GIRL'S SONG.

Bend softly down ye gentle skies,
Bend softly down to me;
That I may see those spirit-eyes,
If spirit-eyes they be—
Bend gently down, for I have dream'd
That there were forms above
In ev'ry pearly star that beamed,
Made up of light and love—
Bend softly down ye gentle stars
And lift the azure veil,
That I may see your pearly brows
That ne'er with sorrow pale.
There must be hearts in that blue realm
That throb with fearful bliss,
They cannot be so dull and cold,
So pulseless as in this.
Oh! I have set my weary heart
On love this earth hath not,
And mine thro' life must ever be
A sad and lonely lot.
Bend softly down ye gentle skies,
Bend softly down to me:
That I may see those spirit-eyes,
If spirit-eyes they be!

In another column we have characterized the article on "The Smithsonian Institute" as one of the very best we have met with in periodical literature. The two following extracts will evince its tendencies and spirit:

HUMAN IMPROVEMENT.

The mind of man was never in that state of expansion in which it now exists. The philosophy of Verulam has created a new race of mortals;—a race utterly different, both in physical power and in intellectual refinement, from all other animals on the face of the earth. Each year as it passes, is rapidly increasing the difference. One after another, we are subjecting the imponderable and unseen agents of Nature to our use—Heat, Electricity, Light. Men that are thus arming themselves with the force of these elements, are not like the former inhabitants of the globe. We ask not the Egyptian for his fleetest dromedary—our Locomotives run over a whole degree of the earth's surface in a single hour. We need not the Elephant of India to drag our ships ashore—our steam engines give us possesion of power that is literally unbounded. We want not the Tartar with his swift Arab, for our electric telegraph can transmit our words from one pole to the other, in the twenty-fifth part of a second. At our command the beams of the sun become artists, and paint on the plates of Daguerre, scenes which the pencil of Apelles could never have approached,—landscapes inimitably beyond those that adorn the canvass of Claude Lorraine. To send us to school to antiquity, is to degrade us indeed. The prattle of children is no instruction to him that is bursting into manhood.

Who can predict what the course of a few years shall accomplish? The man who is grasping in his hand the agents with which it pleases the Almighty to govern this world—who has made for himself an eye that reaches into the abysses of space, and sees the circling of star around star, in regions which the eye of an angel alone could pierce—whose splendid intellect compares together the weights of those indivisible atoms—those last particles of which the Creator has formed all things,—or places the sun in a balance;—the man, who, instead of indulging in chimerical speculations about the structure of his own mind, of which he is in utter ignorance, is adding to himself new senses which are unlike those that nature has given him, and expanding his organs to the production of results which his unassisted powers could never have approached;—this is not the man who existed five centuries ago. There is found in the bowels of the earth, as geologists say, abundant evidence of a continuous development of the tribes of organized life;—that those which first made their appearance, were of the lower and meaner kind; that one after another has come into existence, each more elaborate, and each more intellectual, than its predecessors. The history of our own family teaches us the same thing; for there is not more difference between those animal races, than there is between the civilized man of this age, and the men of Europe five hundred years ago.

OUR DESTINY—NATIONAL CHARACTER.

We are the residents of a great continent, which is bursting into life. Upon us, and our immediate descendants, has devolved the duty of developing on a scale hitherto unknown in this world, the resources of the giant empire—which is going to stretch from the Atlantic to the Pacific Ocern. The men are *now* born, who will hear the loud snort of the locomotive in the deserts beyond the Rocky Mountains. No system of education that has yet been tried, will meet our wants. We want means for the rapid development of all our resources. The soil beneath us teems with wealth. Our population is increasing beyond all example. We are men of enterprise and energy, living in a period of the earth's history unlike any that has preceded; when the force of intellect is fast supplanting all other powers, and under a government the constitution of which has no example. To a nation like us, ignorance is death;—the loss of virtue annihilation. We are trying to unite interests the most diverse and jarring, and to bind in one bond of union, the hot and fiery disposition of the man living within the tropic, with the cold calculating inhabitant of the Green Mountains; but men of all climates are not men of one mind—their character is moulded by the things passing around them: it takes a stamp from the scenes of early life, an impress from nature. The Italians, under all their changes of government, are continually the same people. Overcome, trodden down, trampled under foot, there is an elastic resiliency that forever bears them up again. It matters not what public calamities betide them, or what national woes are stored up for them in the womb of time, another Volta will reveal the mysteries of nature—another Canova will breathe the breath of life into the marbles of Carrara—another Catalini will enchant all Europe with her song. The same causes which determine these things there, are in tenfold action here. We have no surety of continuance, except from the increasing intelligence of our people.

We make room for one of the "Early Lays," of the poet and novelist, W. Gilmore Simms:

"BRING ME HITHER, HITHER, BOY."

Bring me hither, hither, boy,
Bring me here, my light guitar—
'Tis the midnight hour, my boy,
And our feet must wander far;
Who that loves would sleep, when high,
Burns each bright and perfect star?—
Hither hasten then, my boy,
Bring me here my light guitar.

Though by day I may not speak
All the passion in my breast,
And my words are few and weak,
And my flame is unconfess'd;
Yet, by night, a spirit high
Prompts my feet to wander far,
And a bolder speech I try,
Echoed by the light guitar.

Through its soft and silver tone,
I would tell her all I feel—
To her heedless ear alone,
Would I have its music steal.
With a voice no longer coy,
I will sing Love's brightest star—
Bring me hither then, my boy,
Bring me here my light guitar.

'The Worthies of Virginia' is the lofty theme of a glowing eulogy from the heart and pen of Seba Smith, Esq. of this city. We give place to his tribute to 'the noblest Roman of them all'— WASHINGTON.

WASHINGTON, the great amongst the august of the earth! The son of Virginia; but she may not, she dare not engross him. His fame is the world's. It belongs to the length and breadth of the great country which he was so instrumental in redeeming from oppression. His fame has gone forth wherever the stirrings of freedom have been felt. Wherever liberty hath spread her glorious pinions, her word of magic—her watchword from vale and mountain top—hath been and will be forever, WASHINGTON. The deep peal of human voices, like the heavings of the great ocean, resound that one name, from the hoary cliffs of the Oregon still onward to the snow-capt Andes; and the mighty Alps take up the echo from her many peaks and glittering glaciers. Let Virginia exult, that the cradle and the tomb of earth's greatest belong to herself; but let her exult with awe and holiest reverence—for the wide earth shall claim him, and his cenotaph shall be erected in the heart of every freeman.

It is very difficult to write a good sonnet: the following is not decidedly a bad one:

SONNET—A BIRTHDAY'S ASPIRATION.

As one who pausing on the tedious slope
Of some high mountain, thoughtfully looks back
On the long, painful, and uncertain track
His feet have trodden: then, with awe and hope
Commingled, gazes where, beyond the scope
Of utmost vision, majestically dread,
Its 'cloud-capt' summit rises over-head—
So stand I now—thenceforward I pass
With greater perils, with less outward
Father! who hast in mercy hitherto,
And love and pity guided, bear me through!
Well may I, when I ponder, be dismayed;
My purity is sin—my strength a dust—
Nor dare I but in Thine own promise trust!

The Poetry of this number of the Messenger is decidedly superior to that of any two former issues, though by no means free from dross. The following stanzas are spirited and truthful:

FALLS OF THE SACO.

Rush on, bold stream! thou sendest up
Brave notes to all the woods around,
When morning beams are gathering fast,
And hushed is every human sound;
I stand beneath the sombre hill,
The stars are dim o'er fount and rill,
And still I hear thy waters play
In welcome music far away;
Dash on, bold stream! I love the roar
Thou sendest up from rock and shore.

'Tis night in heaven—the rustling leaves
Are whispering of the coming storm,
And thundering down the river's bed
I see thy long themed, darkling form;
No voices from the vales are heard,
The winds are low—each little bird
Hath sought its quiet, rocking nest,
Folded its wing and gone to rest—
And still I hear thy waters play
In welcome music far away!

Oh! earth hath many a gallant show
Of towering peak and glacier hight,
But ne'er beneath the glorious moon,
Hath nature framed a lovelier sight
Than thy fair tide with diamonds fraught,
When every drop with light is caught,
And o'er the bridge the village girls
Reflect below their waving curls,
While merrily thy waters play
In welcome music, far away!

In the article on "Dr. Channing and Lord Brougham," we find the following eloquent because just tribute to the character of DR. CHANNING.

An eloquent writer has alluded to the high position which Dr. Channing occupies in this country, and before the world; and we may add, that, as Americans, we cannot be too proud of such a man, or jealous enough in guarding his fair fame. His whole life has been sacred to the cause of Religion and Truth; and that cause has found in him an advocate, bringing to the task a splendid genius and unsullied character, and who, even in sickness and infirmity, has still labored with a cheerful confidence and unremitting energy. His efforts of mind have all been directed, in some degree, to the improvement of his fellow-men; and there are few, who, under their influence, have not felt themselves purified and exalted. The most generous philanthropy, the severest virtue, the most lofty enthusiasm and highest reverence for human nature, are embodied in his works. These virtues and labors, we trust, will not be without their proper effect and recompense. The influence of such men as Dr. Channing upon the times in which they live is none the less important from their career being one of unobtrusive quiet and seclusion from the busy world; and future ages, whilst they enjoy the fruits of their genius, will accord to them their full share of merit.

When the conqueror's olive-wreath shall have faded, the splendor of the statesman's fame grown dim, and the names of poets and orators have died away upon men's tongues, then the memory of those who have spent their lives ably in the cause of Religion and Truth will still be cherished. The good which they have done will live after them, and they will be regarded as the noblest benefactors of mankind.

In the following simple melody many readers will recognize the pen of a valued contributor to our own columns:

'TIS SWEET WHEN DAILY LABOR O'ER.

'Tis sweet when daily labor o'er,
And all is calm and free,
To tread old Ocean's sounding shore,
And list the murmuring sea!

To catch the low wind's funeral sigh
Above where thousands sleep—
And hear the sea-bird's lonely cry
Upon the far-off deep!

And when on Death's dim, shadowy shore,
At Life's faint twilight driven—
Calm let us view the waters o'er,
And boldly launch for Heaven! *C. W. Everest.*

DOMESTIC LIFE.

BY RICHARD H. DANA.

O, friendly to the best pursuits of man,
Friendly to thought, to virtue, and to peace,
Domestic life. *Cowper.*

It is for a short part of life only that the world is a wonder and delight to us, and its events so many causes of admiration and joy. The mist of morning soon breaks into little wreaths and is lost in the air; and the objects which it dressed in new beauties, are found to be things of our common notice. It passes off from the earth, and the fairy sea is swallowed up, and the green islands, scattered far and wide over it, are again turned into tall trees and mountain brushwood.

In early life we are forever giving objects the hue that best pleases us, and shaping and enlarging them as suits our imagination. But the time comes when we must look upon the unsightly without changing it, and when the hardness of reality makes us feel that there are things not to be moulded to our fancies. Men and their actions were figured to our minds in extremes. Giants and dwarfs peopled the world and filled it with deeds of heroic virtue and desperate vice. All that we looked forward to kept our spirits alive, and our imagination found food for our desires. At one time, we were vainglorious at our victories over magnificent crimes; at another, bearing up firmly against oppression, with the honest and tried.

We come at length into the world, and find men too busy about their own affairs, to make those of another their concern, and too careful of themselves, to go a tilting for another's rights. Even the bad have a mixture in their character which takes away its poetic effect, and we at last settle down in the dull conviction, that we are never to meet with entire and splendid virtue, or unmixed vice. With this sudden check upon our feelings, we may live in the world disappointed and estranged from it; or become like others, cold and wise, putting on timidity for caution, and selfishness for prudence; be guarded in speech, and slow in conduct, seeing the wrong, yet afraid of condemning it. Or, shaking ourselves loose from this hypocrisy of life, we may let go with it the virtues it mimics, and despising the solemn ostent and formalities of society, may break through its restraints, and set its decencies at defiance. Or, too wise to be vicious, and too knowing to be moved, we may look with complacent unconcern upon what we hold to be the errors of the world; forbearing to shake the faith of the religious, because it has its social uses, or to point out the fallacies of moral codes, because they serve to the same end.

The virtuous tendencies of our youth might in this way run to vice, and our early feelings grow cold, were there not in us affections of a quieter nature, resting on objects simple and near at hand, receiving more happiness from one being than from a thousand, and kindling a light within us, making one spot a perpetual brightness, and secretly cheering us through life. These affections are our domestic attachments, which are refreshed every evening, and grow daily under a gentle and kindly warmth, making a companionship for what is lovely, at the same time leaving it all the distinctness and intenseness of our highest solitary joys. We may suffer all the hopes and expectations which shot up wild and disorderly in our young imaginations, to live about our homes; and leaving them their savor and bright hues, may sort each with its kind, and hedge them round with the close and binding youth of family attachments. It is true, that this reality has a narrower range, and an evener surface, than the ideal; yet there is a rest, and an assured and virtuous gladness in it, which make a harmonious union of our feelings and our fancies.

Home gives a certain serenity to the mind, so that every thing is well marked, and sparkling in a clear atmosphere, and the lesser beauties are brought out to rejoice in the pure glow which floats over and beneath them from the earth and sky. In this state of mind afflictions come to us chastened; and if the wrongs of the world cross us in our door-path, we put them aside without anger. Vices are every where about us, not to lure us away, nor make us morose, but to remind us of our frailty, and keep down our pride. We are put into a right relation with the world: neither holding it in proud scorn, like the solitary man, nor being carried along by shifting and hurried feelings, and vague and careless notions of things, like the world's man. We do not take novelty for improvement, nor set up rogue for a rule of conduct; neither do we despair, as if all great virtues had departed with the years gone by, though we see new vices, frailties and follies taking growth in the very light which is spreading through the earth.

Our safest way of coming into communion with mankind is through our own household. For there our sorrow and regret at the failings of the bad is in proportion to our love, while our familiar intercourse with the good has a secretly assimilating influence upon our characters. The domestic man has an independence of thought which puts him at ease in society, and a cheerfulness and benevolence of feeling which seems to ray out from him, and to diffuse a pleasurable sense over those near him like a soft, bright day. As domestic life strengthens a man's virtue, so does it help to a sound judgment, and a right balancing of things, and gives an integrity and propriety to the whole character. God, in his goodness, has ordained that virtue should make its own enjoyment, and that wherever a vice or frailty is rooted out, something should spring up to be a beauty and delight to the mind. But a man of character rightly cast has pleasures at home, which, though fitted to his highest nature, are common to him as his daily food. He moves about his house under a continued sense of them, and is happy almost without heeding it.

Women have been called angels, in love tales and sonnets, till we have almost learned to think of angels as little better than women. Yet a man who knows a woman thoroughly, and loves her truly—and there are women who have been so known and loved—will find, after a few years, that his relish for the grosser pleasures is lessened, and that he has grown into a fondness for the intellectual and refined without an effort, and almost unawares. He has been led on to virtue through his pleasures; and the delights of the eye, and the gentle play of that passion which is the most inward in our nature, and which keeps much of its character amid the concerns of life, have held him in a kind of spiritualized existence: he shares his very being with one who, a creature of this world, and with something of the world's frailties, is

——'yet a spirit still, and bright
With something of an angel light.' *Wordsworth.*

With all the sincerity of a companionship of feeling, cares, sorrows and enjoyments, her presence is as the presence of a purer being, and there is that in her nature which seems to bring him nearer to a better world. She is, as it were, linked to angels; and, in his exalted moments, he feels himself held by the same tie.

In the ordinary affairs of life, a woman has a greater influence over those near her than a man. While our feelings are, for the most part, as retired as anchorites, hers are in constant play before us. We hear them in her varying voice; we see them in the beautiful and harmonious undulations of her movements, in the quick shifting hues of her face, in her eye, glad and bright, then fond and suffused. Her whole frame is alive and active with what is at her heart, and all the outward form speaks. She seems of a finer mould than we, and cast in a form of beauty, which, like all beauty, acts with a moral influence upon our hearts; and, as she moves about us, we feel a movement within, which rises and spreads gently over us, harmonizing us with her own.—And can any man listen to this? Can his eye rest upon this day after day, and he not be touched, and be made better?

The dignity of a woman has its peculiar character: it awes more than that of a man. His is more physical, bearing itself up with an energy of courage which we may brave, or a strength which we may struggle against: he is his own avenger, and we may stand the brunt. A woman's has nothing of this force in it: it is of a higher quality, too delicate for mortal touch.

There is a propriety, too, in a woman's mind—a kind of instinctive judgement—which leads us along in a right way, and that so gentle, and by such a continuous run of little circumstances, that we are hardly conscious we are not going on in our own course. She helps to cure our weaknesses better than man, because she sees quicker—because we are more ready to show for those which are hid, and because advice comes from her without its air of superiority, and reproof without its harshness.

Men who feel deeply show little of their deepest feelings to each other. But, beside the close union and common interests and concerns between husband and wife, a woman seems to be a creature peculiarly ordained for a man to lay open his heart to, and share his joys with, and to be a comforter to his griefs. Her voice soothes us like music: she is our light in gloom and our sun in a cold world. In time of affliction she does not come to us like man, who lays by, for the hour, his proper nature to give us relief. She ministers to us with a hand so gentle, and speaks in a voice so calm and kind, and her very being is so much in all she does, that she seems at the moment as one born only for the healing of our sorrows, and for a rest to our cares. And the man to whom such a being is sent for comfort and support, must be sadly hard and depraved if he does not feel his inward disturbance sinking away, and a quietude stealing through his frame.

The relations of parents and children are the holiest in our lives; and there are no pleasures, or cares, or thoughts, connected with this world, which reminds us so soon of another. The helpless infancy of children sets our own death before us, when they will be left to a world to which we would not trust to ourselves; and the thought of the character they may take in after life, brings with it the question what awaits them in another. Though there is melancholy in this, its seriousness has a religious tendency. And the responsibility which a man has laid himself under, begets a resoluteness of character, a sense that this world was not made to idle in, and a feeling of dignity that he is acting for a great end. How heavily does one toil who labors for himself—and how is he cast down by the thought of what a worthless creature it is all for!

We have heard of the sameness of domestic life. He must have a dull head and little heart who grows weary of it. A man who moralizes feelingly, and has a proneness to see a beauty and fitness in all God's works, may find daily food for his mind even in an infant. In its innocent sleep, when it seems like some blessed thing dropped from the clouds, with tints so delicate, and with its peaceful breathing, we can hardly think of it as of mortal mould, it looks so like a pure spirit made visible for our delight.

"Heaven lies about us in our infancy," says Wordsworth. And who of us, that is not too good to be conscious of his own vices, who has not felt rebuked and humbled under the clear and open countenance of a child?—who that has not felt his impurities foul upon him in the presence of a sinless child? These feelings make the best lesson that can be taught a man; and tell him in a way, which all else he has read or heard never could, how paltry is all the show of intellect compared with a pure and good heart. He that will humble himself and go to a child for instruction, will come away a wiser man

If children can make us wiser, they surely can make us better. There is no one more to be envied than a goodnatured man watching the workings of children's minds, or overlooking their play. Their eagerness, curious about every thing, making out by a quick imagination what they see but a part of—their fanciful combinations and magic inventions, creating out of ordinary circumstances, and the common things which surround them, strange events and little ideal worlds, and these all working in mystery to form matured thought, is study enough for the most acute minds, and should teach us, also, not too officiously to regulate what we so little understand. The still musing and deep abstraction in which they sometimes sit, affect us as a playful mockery of older heads. These little philosophers have no foolish system, with all its pride and jargon, confusing their brains. Theirs is a natural movement of the soul, intense with new life, and busy after truth, working to some purpose, though without a noise.

When children are lying about seemingly idle and dull, we, who have become case-hardened by time and satiety, forget that they are all sensation, that their outstretched bodies are drinking in from the common sun and air, that every sound is taken note of by the ear, that every floating shadow and passing form come and touch at the sleepy eye, and that the little circumstances and the material world about them make their best school, and will be the instructers and formers of their characters for life.

And it is delightful to look on and see how busily the whole acts, with its countless parts fitted to each other, and moving in harmony. There are none of us who have stolen softly behind a child when laboring in a sunny corner, digging a lilliputian well, or fencing in a six-inch barn-yard, and listened to his soliloquies, and his dialogues with some imaginary being, without his heart being touched by it. Nor have we observed the flush which crossed his face when finding himself betrayed, without seeing in it the delicacy and propriety of the after man.

A man may have many vices upon him, and have walked long in a bad course, yet if he has a love of children, and can take pleasure in their talk and play, there is something still left in him to act upon—something which can love simplicity and truth. I have seen in whom some low vice had become a habit, make himself the plaything of a set of riotous children with as much delight in his countenance as if nothing but goodness had ever been expressed in it; and have felt as much of kindness and sympathy toward him, as I have of revolting toward another, who has gone through life with all due propriety, with a cold and supercilious bearing towards children, which makes them shrinking and still. I have known one like the latter, attempt, with uncouth condescension, to court an openhearted child, who would draw back with an instinctive aversion; and I have felt as if there were a curse upon him. Better to be driven out from among men, than to be disliked of children.

When my heart has been full of joy and good-will at the thought of the blessings of home, and at the remembrance that the little which is right within me was learned there—when I have reflected upon the nature of my enjoyments abroad, and cast them up, and found them so few, and have then turned home again, and have seen that its pleasures were my best lessons of virtue, and as countless as good, I have thought that I could talk of it for ever. It is not so. Though the feeling of home never wearies, because kind offices, and the thousand little ways in which home attachments are always uttering themselves, keep it fresh and full in its course; yet the feeling itself, and that which feeds it, have a simplicity and unity of character of which little is to be told, though they are always with us.

It may be thought that something should be said of the influence of domestic associations on a child, and its filial attachments. I would not overcast the serenity I now feel by calling up the days when I was a boy; when the spirits were unbroken, and the heart pure, when the past was unheeded, and the future bright; I would not do this to be pained with all that has gone amiss in my later days—to remember how poorly I have borne the ills of life, and how thankless has been my spirit for its good.

It is needless to talk of the afflictions of domestic life. These which Providence sends, come for our good, and their best consolations are found in the abode into which they enter. Of the troubles which we make to ourselves, we have no right to complain. Ill-sorted marriages will hardly bring agreement, and from those of convenience will hardly come love. But when the deep and tranquil enjoyment, the light and playful cheerfulness, the exaltation of feeling, and the clear

calm of thought, which belong to those who know each other entirely, and have by nature something of the romance of love in them, are told, then will I speak of the troubles of home.

For The New-Yorker.

THE SEVEN HILLOCKS.

Almost every one has read Wordsworth's ballad entitled 'The Seven Sisters of Binnorie,' but few are aware of the source whence it was derived. This may be found in a German ballad first published in 1795, of which the following is a nearly literal translation. CEBE.

Upon a green green hill-side
Seven little hillocks stand;
The night wind sighs through the lonely vale,
And spectres dance by the moonlight pale—
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

Within a spreading meadow,
A cool lake shimmers sheen:
The frogs croak deep from the marshy ground,
And dusky phantoms are flitting round—
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

Here dwelt, in days departed,
A rich and mighty king;
But war and pillage his only care,
He thought not of his seven daughters fair—
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

The seven young maids were lying
In shady beechen-grove:
The creamy foam from the wave-tops flew,
The storm-wind whistles the high boughs through—
Maidens under the green-turf, ho!
Sing—"Woe, woe, woe!"

The snowy sails are swelling
From Scandinavia's coast—
Ha! Starno cometh, the rover bold!
King, how hast thou left thy tender fold?
Maidens under the green-turf, ho!
Sing—"Woe, woe, woe!"

Upon the sea-beach sandy
Leaps forth the robber host—
Swift over the mountains the maidens ran;
The rovers followed them, horse and man—
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

"We soon secure shall have you,
Ye birds of plumage fair;
We 'll carry you off, and leave behind
The empty house for your father to find."
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

Like leaves before the storm-wind,
The maidens fled along;
The rovers followed them close behind,
Nigh touching their robes that waved in the wind.
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

All in the evening sun-light
The cool lake shimmered sheen;
The lovely maidens sprung lightly in,
And never after by man were seen.
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

Upon a green green hill-side
Seven little hillocks stand:
There sleep the maidens, and o'er them sing
The little birds all in early spring—
Maidens under the green turf, ho!
Sing—"Woe, woe, woe!"

The Messrs. Gregg have lately purchased the very large spinning establishment at Ringley, six miles from Manchester and four miles from Bolton, from Mr. Crompton of that place. Its original cost is said to have exceeded £60,000. There are one hundred and forty cottages attached to the works, and form part of the purchase. When the mill is in full operation, the Messrs. Gregg will be the largest consumers of Cotton in Great Britian, and of course in the world.

Choice of Occupation.—At the present period of general derangement in almost every department of business, it is natural for all inquiring minds to cast their eyes around in search of some pursuit calculated to yield them a support, or to advance their pecuniary resources. And where, let me ask, does the mind meet a certain response, except from the productions of the soil, and where else can one look for stability, as to the safety of his investment, and to an ample return for his labors. What other pursuit can offer to him a sure guaranty of a comfortable support for his family, and permanent provisions for his children. In commercial pursuits all is chance and uncertainty, and he who can boast of being on the ascendant to-day, can only claim to occupy the reverse position to-morrow. The history of whole streets in our mercantile cities, is but a record of the rise, and the downfall of their occupants. It is a melancholy reflection, that such are the uncertainties attendant on commerce, and on mercantile affairs generally, that every six or seven years witnesses a complete revolution in the mercantile class of the community. And yet such has been the folly and absence of proper discrimination among parents generally, that apparently, it has been their most anxious desire to devote their sons to mercantile pursuits, and to risk their prosperity on changes as fluctuating and more uncertain than the turn of the die. It is to this gross misdirection of the mind that many branches of agriculture have to this day been totally neglected, although offering the most bountiful returns to those who would engage in them. Providence planted the vine only in Persia, Syria, and in North America. To France and Italy he tendered no such bounty. And yet we see France, whose climate was so uncongenial to the vine at its first introduction, that it could barely survive on its most southern shores, now become enriched beyond every other nation by the immense accumulation of wealth for ages her vintage has poured into her bosom. We see that country becoming affluent and powerful, not from the natural productions of her own soil, but from those which she has borrowed from more favored climes. Look at her olive groves, and the whole race of oleaginous plants from which she derives the immense quantity of her choicest oils, sufficient almost for the consumption of the whole earth. Look at her groves of almonds, figs, prunes, and almost every other fruit calculated to give support to her citizens, and amplitude to her commerce. And lastly, look at her immense and increasing plantations for the silk culture, rivaling in profit all her other pursuits. Not one of these invaluable productions is the gift of nature, but are all exotics transplanted to her soil. For ourselves we may claim both the vine and the mulberry as preëminently our own, and planted on our soil by the God of nature. And thus favored, shall Americans succumb and yield precedence to nations possessing fewer natural advantages? Shall we shrink from the development of those resources which God himself has marked out as peculiarly calculated to enrich our country and extend our sphere of comfort and happiness? We trust not. We trust that we shall not have, for the future, any recreants among us, who doubt the triumph of American skill, enterprise, and industry, where any other nation dare claim success. It is such men who retard the national advancement, and are a clog to its prosperity. They are worse than drones, for they impede the labors of the industrious. Men, professing such opinions, ought to receive the withering scorn and derision of a nation which claims to have no superiors in knowledge and the arts, and which acknowledges no consummation to their labors but that which ensures for them the most triumphant success.

Silk Journal.

The English and American Merchant.—U. Chevallier in his "Letters upon North America," draws the following contrast between the rich traders of England and America.

"Approach an English merchant in his counting-room in the morning, and you will find him still and dry, answering you only in monosyllables, accost him at the hour of closing the mails, he will be at no pains to conceal his impatience; he will dismiss you without always taking care to do it politely. The same man in his drawing-room in the evening, or at his country house in the summer, will be full of courtesy towards you. The Englishman divides his time, and does but one thing at once; in the evening he plays the man of leisure, reposing and enjoying life; he is a gentleman, having before his eyes in the English aristocracy, a perfect model to form his manners and grace. The modern Frenchman is a confused mixture of the Englishman of evening and the Englishman of the morning, in the morning a little of the latter. The old French mode was the former, or rather to do each justice was the original after which the English aristocracy has formed itself. The American of the North and Northwest, whose character now gives the tone in the United States, is permanently a man of business—he is always the Englishman of the morning.

Heaven-born Genuises.—Mason, the poet, was asked to subscribe to the poems of Ann Kearsley, the Bristol milkmaid. "The poems," said the gentleman applying, "of a heaven-born genius, in much distress!" Mason gave five guineas, with this reply,—"There are five pounds for her *distress* and five shillings for her *heaven-born genius!*"

From the New-York Christian Messenger.

Leaves of Antiquity;

OR THE POETRY OF HEBREW TRADITION... NO. XI.

Translated from the German of Herder, by Mrs. C. M. Sawyer.)

THE WORD OF THE LAW.

When God descended to give his law upon Mount Sinai, Moses entered into the holy cloud before Him, and said:—"All-Gracious Jehovah, thou wilt give Thy law to Israel, that all the people may obey it; but will the other nations, also, and the coming generations, hear the voice of God?"

"They have heard it!" said the Almighty. "Every Prophet and Sage, even every child, wherever upon the earth it has lived, there it has received its portion. Their souls themselves are an echo of My voice—of that voice which fills all worlds!"

God spoke and summoned the angel of souls, that he might lead the questioner into the kingdom of the inner creation. Here Moses saw how, through the power of the Eternal word, the form of man came into being; every growing nature was the root of a tree full of godlike thoughts.

"As many," said the angel, "as there are here of human souls, so many are the interpretations of the voice that created the Universe. Many souls comprehend much of the voice, and thy soul," continued the angel to Moses, "shall comprehend the tree of the law, with its root, trunk and branches. Every soul shall be judged according to the powers it possesses—according to the sound of the voice that called it into life."

And the angel took him by the hand and led him into the vestibule of Paradise. "Here," said the angel, "here are the unborn educated and prepared for their life upon the earth. According to the measure of obedience and fidelity manifested by a soul, it descends into this or that race to its reward or punishment. Yet, before each soul descends, its angel leads it around and shews it the gates of Hell and of Paradise. There it beholds the unjust tormented; here the righteous comforted. Whatever impression the child now preserves and firmly retains, in accordance with that will its future life be modeled. He in whose memory Hell alone floats will be a slave; but he who longingly receives in himself the joys of Paradise will be a child of Jehovah, and find upon the earth the consolations of Paradise. He who preserves in himself the remembrance of neither will grow wild and senseless, and become a beast of the field."

Then came also the angel of the Wise, and took Moses by the hand and led him into the school of Heaven. "Behold here," said he, "the souls gathered together; each one ascends in that silent moment when it reads in itself the words of the Eternal. As soon as the senses become silent and the body of man sleeps, the soul goes upward to Heaven, and to him is it vouchsafed to hear undestroyed the mind of the Eternal. The highest angels will cease their songs of praise until all souls are gathered together, as it is written:

> The flowers are springing from the earth;
> The time of singing is come;
> The voice of the turtle-dove is heard in our land.

Immediately the angels take up the same songs of praise, and weave them into a grateful crown for the Eternal."

> Then Moses fell down and said:
> "How has Jehovah loved mankind!
> All his saints are about Him;
> They sit at his feet,
> And learn from Himself his eternal word."

THE DISROBING OF AARON.

With a heavy heart, Moses disrobed his brother Aaron, upon Mount Hor. He took off his holy garments, and with them robed Eleazer. Then Aaron composed himself and died; for he also had sinned. And Israel mourned him thirty days.

On the thirtieth day Moses sat upon this mountain, and in a dream beheld his brother. The majesty of Jehovah beamed upon his forehead, and a more glorious garment of priesthood floated around his form, now radiant with renewed youth. A girdle of gold was around his breast, but the twelve stones of the sanctuary were not upon it. The staff which had b'oomed in the earthly sanctuary was not in his hand.

"Wherefore is the staff of thy priesthood not in thy hand, my brother?" said Moses in the dream; "and wherefore glitter no longer upon thy breast the twelve stones of thy nation, for a memorial before God?"

"They were heavy enough to me," answered Aaron, "when I bore them upon earth; now my breast is enlarged, and my soul enlightened. Even the staff of my race is no longer in my hand, for before the God of all the world are all races and people. A Priest of Salem am I now—in the Land of Peace a Priest of a higher order."

The vision vanished, and Moses renewed that comforting law, so friendly to the human race, of the rest of the Sabbath after labor, and the Sabbatical year for freeing the poor and the oppressed, the slave and the servant, and the beast of burden. He renewed the law of the Feast of Tabernacles and the ever joyful year of Jubilee.

Digesting the Message.—The editor of the Harrisburg Keystone says, he expected to occupy his *inside* with the President's Message—so he put his editorial head on the *outside*.

Boston Clipper.

MY BIRTH-DAY.. By Moore.

My birth-day! what a different sound
That word had in my youthful years,
And now, each time the day comes round,
Less and less white its mark appears!
When first our scanty years are told,
It seems like a pastime to grow old:
And, as youth counts the shining links
That time around him binds so fast,
Pleased with the task, he little thinks
How hard that chain will press at last.
Vain was the man, and false as vain,
Who said "were he ordained to run
His long career of life again,
He would do all that he had done"—
Ah! 'tis not thus the voice that dwells
In sober birth-days speaks to me;
Far otherwise—of time it tells
Lavished unwisely, carelessly—
Of counsels mock'd—of talents, made
Haply for high and pure designs,
But oft like Israel's incense laid
Upon unholy earthly shrines—
Of nursing many a wrong desire—
Of wandering after love too far,
And taking every meteor fire
That crossed my pathway for his star!
All this it tells, and could I trace
The imperfect picture o'er again,
With power to add, retouch, efface
The lights and shades, the joy and pain,
How little of the past would stay!
How quickly all would melt away,
All—but that freedom of the mind
Which hath been more than wealth to me;
Those friendships on my boyhood twined,
And kept till now unchangingly;
And that dear home, that saving ark,
Where love's true light at last I've found,
Cheering within, when all grows dark
And comfortless, and stormy round.

THE GRAND PRIOR OF MINORCA.

BY GEOFFREY CRAYON.

"Keep my wits, heaven! They say spirits appear
To melancholy minds, and the graves open"

Fletcher.

About the middle of the last century, while the Knights of Saint John of Jerusalem still maintained something of their ancient state and sway in the Island of Malta, a tragical event took place there, which is the ground-work of the following narrative:

It may be as well to premise, that at the time we are treating of, the order of St. John of Jerusalem, grown excessively wealthy, had degenerated from its originally devout and warlike character. Instead of being a hardy body of 'monk-knights,' sworn soldiers of the cross, fighting the Paynim in the Holy Land, or scouring the Mediterranean, and scourging the Barbary coasts with their galleys, or feeding the poor, and attending upon the sick at their hospitals, they led a life of luxury and libertinism, and were to be found in the most voluptuous courts of Europe. The order, in fact, had become a mode of providing for the needy branches of the Catholic aristocracy of Europe. 'A commandery,' we are told, was a splendid provision for a young brother; and men of rank, however dissolute, provided they belonged to the highest aristocracy, became Knights of Malta, just as they did bishops, or colonels of regiments, or court chamberlains. After a brief residence at Malta, the knights passed the rest of their time in their own countries, or only made a visit now and then to the island. While there, having little military duty to perform, they beguiled their idleness by paying attentions to the fair.

There was one circle of society, however, into which they could not obtain currency. This was composed of a few families of the old Maltese nobility, natives of the island. These families, not being permitted to enrol any of their members in the order, affected to hold no intercourse with its chevaliers; admitting none into their exclusive coteries, but the Grand Master, whom they acknowledged as their sovereign, and the members of the chapter which composed his council.

To indemnify themselves for this exclusion, the chevaliers carried their gallantries into the next class of society, composed of those who held civil, administrative, and judicial situations. The ladies of this class were called *honorate* or honorables, to distinguish them from the inferior orders; and among them were many of superior grace, beauty, and fascination.

Even in this more hospitable class, the chevaliers were not all equally favored. Those of Germany had the decided preference, owing to their fair and fresh complexions, and the kindliness of their manners; next to these came the Spanish cavaliers, on account of their profound and courteous devotion, and most discreet secrecy. Singular as it may seem, the chevaliers of France fared the worst. The Maltese ladies dreaded their volatility, and their proneness to boast of their amours, and shunned all entanglement with them. They were forced, therefore to content themselves with conquests among females of the lower orders. They revenged themselves, after the gay French manner, by making the 'honorate' the objects of all kinds of jests and mystifications; by prying into their tender affairs with the more favored chevaliers, and making them the theme of song and epigram.

About this time, a French vessel arrived at Malta, bringing out a distinguished personage of the order of St. John of Jerusalem, the Commander de Foulquerre, who came to solicit the post of commander-in-chief of the galleys. He was descended from an old and warrior line of French nobility, his ancestors having long been seneschals of Poitou, and claiming descent from the first counts of Angouleme.

The arrival of the commander caused a little uneasiness among the peacably inclined, for he bore the character, in the Island, of being fiery, arrogant, and quarrelsome. He had already been three times at Malta, and on each visit had signalized himself by some rash and deadly affray. As he was now thirty-five years of age, however, it was hoped that time might have taken off the fiery edge of his spirit, and that he might prove to be more quiet and sedate than formerly. The commander set up an establishment befitting his rank and pretensions; for he arrogated to himself an importance greater even than that of the Grand Master. His house immediately became the rallying place of all the young French chevaliers. They informed him of all the slights they had experienced or imagined, and indulged their petulant and satirical vein at the expense of the 'honorate' and their admirers. The chevaliers of other nations soon found the topics and tone of conversation at the commander's irksome and offensive, and gradually ceased to visit there. The commander remained the head of a national *clique*, who looked to him as their model. If he was not as boisterous and quarrelsome as formerly, he had become haughty and overbearing. He was fond of talking over his past affairs of punctilio and bloody duel. When walking the streets, he was generally attended by a ruffling train of young French cavaliers, who caught his own air of assumption and bravado. These he would conduct to the scenes of his deadly encounters, point out the very spot where each fatal lunge had been given, and dwell vain-gloriously on every particular.

Under his tuition the young French chevaliers began to add bluster and arrogance to their former petulence and levity; they fired up on the most trivial occasions, particularly with those who had been most successful with the fair; and would put on the most intolerable drawcansir airs. The other chevaliers conducted themselves with all possible forbearance and reserve; but they saw it would be impossible to keep on long, in this manner, without coming to an open rupture.

Among the Spanish cavaliers, was one named Don Luis de Lima Vasconcellos. He was distantly related to the Grand Master; and had been enrolled at an early age among his pages, but had been rapidly promoted by him, until, at the age of twenty-six, he had been given the richest commandery in the order. He had, moreover, been fortunate with the fair, with one of whom, the beautiful honorata of Malta, he had maintained the most tender correspondence.

The character, rank, and connexions of Don Luis put him on a par with the imperious Commander de Foulquerre, and pointed him out as a leader and champion to his countrymen. The Spanish chevaliers repaired to him, therefore, in a body; represented all the grievances they had sustained, and the evils they apprehended, and urged him to use his influence with the commander and his adherents to put a stop to the growing evils.

Don Luis was gratified by this mark of confidence and esteem, on the part of his countrymen, and promised to have an interview with the Commander de Foulquerre on the subject. He resolved to conduct himself with the utmost caution and delicacy on the occasion; to represent to the commander the evil consequences which might result from the inconsiderate conduct of the young French chevaliers, and to entreat him to exert the great influence he so deservedly possessed over them, to restrain their excesses. Don Luis was aware, however, of the peril that attended any interview of the kind with this imperious and fractious man, and apprehended, however it might commence would end in a duel. Still, it was an affair of honor, in which Castilian dignity was concerned; beside, he had a lurking disgust at the overbearing manners of De Foulquerre, and perhaps had been somewhat offended by certain intrusive attentions which he had presumed to pay to the beautiful honorata.

In was now Holy Week; a time too sacred for worldly feuds and passions, especially in a community under the dominion of a religious order: it was agreed, therefore, that the dangerous interview in question should not take place until after the Easter holydays. It is probable, from subsequent circumstances, that the Commander de Foulquerre had some information of this arrangement among the Spanish chevaliers, and was determined to be beforehand, and to mortify the pride of their champion, who was thus preparing to read him a lecture. He chose Good Friday for his purpose. On this sacred day, it is customary in Catholic countries to make a tour of all the Churches, offering up prayers in each. In every Catholic Church, as is well known, there is a vessel of holy water near the door. In this, every one, on entering, dips his fingers, and makes therewith the sign of the cross on his forehead and breast. An office of gallantry, among the young Spaniards, is to stand near the door, dip their hands in the holy vessel, and extend them courteously and respectfully to any lady of their acquaintance who may enter; who thus receive the sacred water at second hand, on the tips of her fingers, and proceeds to cross herself, with all due decorum. The Spaniards, who are the most jealous of lovers, are impatient when this piece of devotional gallantry is proffered to the object of their affections by any other hand: on Good Friday, therefore, when a lady makes a tour of the churches, it is the usage among them for the inamorato to follow her from church to church, so as to present her the holy water at the door of each; thus testifying his own devotion, and at the same time preventing the officious services of a rival.

On the day in question, Don Luis followed the beautiful honorata, to whom, as has already been observed, he had long been devoted. At the very first church she visited, the Commander de Foulquerre was stationed at the portal, with several of the young French chevaliers about him. Before Don Luis could offer her the holy water, he was anticipated by the commander, who thrust himself between them, and, while he performed the gallant office to the lady, rudely turned his back upon her admirer, and trod upon his feet. The insult was enjoyed by the young Frenchmen who were present; it was too deep and grave to be forgiven by Spanish pride; and at once put an end to all Don Luis' plans of caution and forbearance. He repressed his passion for the moment, however, and waited until all the parties had left the church: then, accosting the commander with an air of coolness and unconcern, he inquired after his health, and asked to what church he proposed making his second visit. 'To the Magisterial Church of Saint John.' Don Luis offered to conduct him thither, by the shortest route. His offer was accepted, apparently without suspicion, and they proceeded together. After walking some distance, they entered a long, narrow lane, without door or window opening upon it, called the 'Strada Stretta,' or narrow street. It was a street in which duels were permitted, or connived at, in Malta, and were suffered to pass as accidental encounters. Every where else, they were prohibited. This restriction had been instituted to diminish the number of duels, formerly so frequent in Malta. As a further precaution to render these encounters less fatal, it was an offence, punishable with death, for any one to enter this street armed with either poniard or pistol. It was a lonely, dismal street, just wide enough for two men to stand upon their guard, and cross their swords; few persons ever traversed it, unless with some sinister design; and on any preconcerted duello, the seconds posted themselves at each end, to stop all passengers, and prevent interruption.

In the present instance, the parties had scarce entered the street, when Don Luis drew his sword, and called upon the commander to defend himself.

De Foulquerre was evidently taken by surprise; he drew back, and attempted to expostulate: but Don Luis persisted in defying him to the combat.

After a second or two, he likewise drew his sword, but immediately lowered the point.

"Good Friday!" ejaculated he, shaking his head; "one word with you; it is full six years since I have been in a confessional: I am shocked at the state of my conscience; but within three days—that is to say, on Monday next ——."

Don Luis would listen to nothing. Though naturally of a peaceable disposition, he had been stung to fury, and people of that character, when once incensed, are deaf to reason.—He compelled the commander to put himself on his guard.—The latter, though a man accustomed to brawl and battle, was singularly dismayed. Terror was visible in all his features. He placed himself with his back to the wall, and the weapons were crossed. The contest was brief and fatal.—At the very first thrust, the sword of Don Luis passed through the body of his antagonist. The commander staggered to the wall, and leaned against it.

"On Good Friday!" ejaculated he again, with a failing voice and despairing accents. "Heaven pardon you!" added he; "take my sword to Têtefoulques, and have a hundred masses performed in the chapel of the castle, for the repose of my soul!" With these words he expired.

The fury of Don Luis was at an end. He stood aghast, gazing at the bleeding body of the commander. He called to mind the prayer of the deceased for three days' respite, to make his peace with heaven; he had refused it; had sent him to the grave, with all his sins upon his head! His conscience smote him to the core; he gathered up the sword of the commander, which he had been enjoined to take to Têtefoulques, and hurried from the fatal Strada Stretta.

The duel, of course, made a great noise in Malta, but had no injurious effect on the wordly fortunes of Don Luis. He made a full declaration of the whole matter, before the proper authorities; the Chapter of the Order considered it one of those casual encounters of the Strada Stretta, which were mourned over, but tolerated; the public, by whom the late commander had been generally detested, declared that he had deserved his fate. It was but three days after this event that Don Luis was advanced to one of the highest dignities of the Order, being invested by the Grand Master with the priorship of the kingdom of Minorca.

From that time forward, however, the whole character and conduct of Don Luis underwent a change. He became a prey to a dark melancholy, which nothing could assuage.—The most austere piety, the severest penances, had no effect

in allaying the horror which preyed upon his mind. He was absent for a long time from Malta; having gone, it was said, on remote pilgrimages: when he returned, he was more haggard than ever. There seemed something mysterious and inexplicable in this disorder of his mind. The following is the revelation, made by himself, of the horrible visions or chimeras by which he was haunted:

"When I had made my declaration before the Chapter," said he, "and my provocations were publicly known, I had made my peace with man; but it was not so with God, nor with my confessor, nor with my own conscience. My act was doubly criminal, from the day on which it was committed, and from my refusal to a delay of three days, for the victim of my resentment to receive the sacraments. His despairing ejaculation, "Good Friday! Good Friday!" continually rang in my ears. 'Why did I not grant the respite?' cried I to myself; 'was it not enough to kill the body, but must I seek to kill the soul?'

"On the night of the following Friday, I started suddenly from my sleep. An unaccountable horror was upon me. I looked wildly around. It seemed as if I were not in my apartment, nor in my bed, but in the fatal Strada Stretta, lying on the pavement. I again saw the commander leaning against the wall; I again heard his dying words: 'Take my sword to Tètefoulques, and have a hundred masses performed in the chapel of the castle, for the repose of my soul!'

"On questioning my servant on the subject, he stated that on these occasions he dreamed that he was lying in a very narrow street, but he neither saw nor heard any thing of the commander.

"I knew nothing of this Tètefoulques, whither the defunct was so urgent I should carry his sword. I made inquiries, therefore, concerning it, among the French chevaliers. They informed me that it was an old castle, situated about four leagues from Poitiers, in the midst of a forest. It had been built in old times, several centuries since, by Foulques Taillefer, (or Fulke Hackiron,) a redoubtable hard fighting Count of Angouleme, who gave it to an illegitimate son, afterward created Grand Seneschal of Poitou, which son became the progenitor of the Foulquerres of Tètefoulques, hereditary Seneschals of Poitou. They farther informed me, that strange stories were told of this old castle, in the surrounding country, and that it contained many curious relics. Among these were the arms of Foulques Taillefer, together with all those of the warriors he had slain; and that it was an immemorial usage with the Foulquerres to have the weapons deposited there which they had wielded either in war or in single combat. This, then, was the reason of the dying injunction of the commander respecting his sword. I carried this weapon with me wherever I went, but still I neglected to comply with his request.

"The visions still continued to harass me with undiminished horror. I repaired to Rome, where I confessed myself to the Grand Cardinal penitentiary, and informed him of the terrors with which I was haunted. He promised me absolution, after I should have performed certain acts of penance, the principal of which was, to execute the dying request of the commander, by carrying his sword to Tètefoulques, and having the hundred masses performed in the chapel of the castle for the repose of his soul.

"I set out for France as speedily as possible, and made no delay in my journey. On arriving at Poitiers, I found that the tidings of the death of the commander had reached there, but had caused no more affliction than among the people of Malta. Leaving my equipage in the town, I put on the garb of a pilgrim, and taking a guide, set out on foot for Tètefoulques. Indeed the roads in this part of the country were impracticable for carriages.

"I found the castle of Tètefoulques a grand but gloomy and dilapidated pile. All the gates were closed, and there reigned over the whole place an air of almost savage loneliness and desertion. I had understood that its only inhabitants were the concierge, or warder, and a kind of hermit who had charge of the chapel. After ringing sometime at the gate, I at length succeeded in bringing forth the warder, who bowed with reverence to my pilgrim's garb. I begged him to conduct me to the chapel, that being the end of my pilgrimage. We found the hermit there, chanting the funeral service; a dismal sound to one who came to perform a penance for the death of a member of the family. When he had ceased to chant, I informed him that I came to accomplish an obligation of conscience, and that I wished him to perform a hundred masses for the repose of the soul of the commander. He replied that, not being in orders, he was not authorized to perform mass, but that he would willingly undertake to see that my debt of conscience was discharged. I laid my offering on the altar, and would have placed the sword of the commander there, likewise. "Hold!" said the hermit, with a melancholy shake of the head, "this is no place for so deadly a weapon, that has so often been bathed in Christian blood. Take it to the armory; you will find there trophies enough of like character. It is a place into which I never enter."

"The warder here took up the theme abandoned by the peaceful man of God. He assured me that I would see in the armory the swords of all the warrior race of Foulquerres, together with those of the enemies over whom they had triumphed. This, he observed, had been a usage kept up since the time of Mellusine, and of her husband, Geoffrey à la Grand-dent, or Geoffrey with the Great-tooth.

"I followed the gossipping warder to the armory. It was a great dusty hall, hung round with Gothic-looking portraits, of a stark line of warriors, each with his weapon, and the weapons of those he had slain in battle, hung beside his picture. The most conspicuous portrait was that of Foulques Taillefer, (Fulke Hackiron,) Count of Angouleme, and founder of the castle. He was represented at full length, armed cap-à-pie, and grasping a huge buckler, on which were emblazoned three lions passant. The figure was so striking, that it seemed ready to start from the canvass: and I observed beneath this picture, a trophy composed of many weapons, proofs of the numerous triumphs of this hard fighting old cavalier. Beside the weapons connected with the portraits, there were swords of all shapes, sizes, and centuries, hung round the hall; with piles of armor, placed as it were in effigy.

"On each side of an immense chimney, were suspended the portraits of the first seneschal of Poitou (the illegitimate son of Foulques Taillefer) and his wife Isabella de Lusignan: the progenitors of the grim race of Foulquerres that frowned around. They had the look of being perfect likenesses; and as I gazed on them, I fancied I could trace in their antiquated features some family resemblance to their unfortunate descendant, whom I had slain! This was a dismal neighborhood, yet the armory was the only part of the castle that had a habitable air; so I asked the warder whether he could not make a fire, and give me something for supper there, and prepare me a bed in one corner.

"'A fire and a supper you shall have, and that cheerfully, most worthy pilgrim,' said he; 'but as to a bed, I advise you to come and sleep in my chamber.'

"'Why so?' inquired I; 'why shall I not sleep in this hall?'

"'I have my reasons; I will make a bed for you close to mine.'

"I made no objections, for I recollected that it was Friday and I dreaded the return of my vision. He brought in billets of wood, kindled a fire in the great overhanging chimney, and then went forth to prepare my supper. I drew a heavy chair before the fire, and seating myself in it, gazed musingly round upon the portraits of the Foulquerres, and the antiquated armor and weapons, the mementos of many a bloody deed. As the day declined, the smoky draperies of the hall gradually became confounded with the dark ground of the paintings, and the lurid gleams from the chimney only enabled me to see visages staring at me from the gathering darkness. All this was dismal in the extreme, and somewhat appalling; perhaps it was the state of my conscience that rendered me peculiarly sensitive, and prone to fearful imaginings.

"At length the warder brought in my supper. It consisted of a dish of trout, and some craw-fish taken in the fosse of the castle. He procured also a bottle of wine of Poitou. I requested him to invite the hermit to join me in my repast; but the holy man sent back word that he allowed himself nothing but roots and herbs, cooked with water. I took my meal therefore, alone, but prolonged it as much possible, and sought to cheer my drooping spirits by the wine of Poitou which I found very tolerable.

"When supper was over, I prepared for my evening devotions. I have always been very punctual in reciting my breviary; it is the prescribed and bounden duty of all chevaliers of the religious orders; and I can answer for it, is faithfully performed by those of Spain. I accordingly drew forth from my pocket a small missal and a rosary, and told the warder he need only designate to me the way to his chamber, where I could come and rejoin him, when I had finished my prayers.

"He accordingly pointed out a winding stair-case, opening from the hall. 'You will descend this stair-case,' said he, 'until you come to the fourth landing place, where you enter a vaulted passage, terminating by an arcade, with a statue of the blessed Jeanne of France: you cannot help finding my room, the door of which I will leave open; it is the sixth door from the landing place. I advise you not to remain in this hall after midnight. Before that hour, you will hear the hermit ring the bell, in going the rounds of the corridors. Do not linger here after that signal."

"The warder retired, and I commenced my devotions. I continued at them earnestly; pausing from time to time to put wood upon the fire. I did not dare to look much around me, for I felt myself becoming a prey to fearful fancies. The pictures appeared to become animated. If I regarded one attentively, for any length of time, it seemed to move the eyes and lips. Above all, the portraits of the Grand Seneschal and his lady, which hung on each side of the great chimney, the progenitors of the Foulquerres of Tètefoulque, regarded me, I thought, with angry and baleful eyes: I even fancied they exchanged significant glances with each other. Just then a terrible blast of wind shook all the casements, and, rushing through the hall, made a fearful rattling and clashing among the armor. To my startled fancy, it seemed something supernatural.

"At length I heard the bell of the hermit, and hastened to quit the hall. Taking a solitary light, which stood on the supper table, I descended the winding stair-case; but before I had reached the vaulted passage leading to the statue of the blessed Jeanne of France, a blast of wind extinguished my taper. I hastily remounted the stairs, to light it again at the chimney; but judge of my feelings, when, on arriving at the entrance to the armory, I beheld the Seneschal and his lady, who had descended from their frames, and seated themselves on each side of the fire-place!

"'Madam, my love,' said the Seneschal, with great formality, and in antiquated phrase, 'what think you of the presumption of this Castilian, who comes to harbor himself and make wassail, in this our castle, after having slain our descendant, the commander, and that without granting him time for confession?'

"'Truly, my lord,' answered the female spectre, with no stateliness of manner, and with great asperity of tone; 'truly, my lord, I opine that this Castilian did a grievous wrong in this encounter; and he should never be suffered to depart hence, without your throwing him the gauntlet.' I paused to hear no more, but rushed again down stairs, to seek the chamber of the warder. It was impossible to find it in the darkness, and in the perturbation of my mind. After an hour and a half of fruitless search, and mortal horror and anxieties, I endeavored to persuade myself that the day was about to break, and listened impatiently for the crowing of the cock; for I thought if I could hear his cheerful note, I should be reassured; catching, in the disordered state of my nerves, at the popular notion that ghosts never appear after the first crowing of the cock.

At length I rallied myself, and endeavored to shake off the vague terrors which haunted me. I tried to persuade myself that the two figures which I had seemed to see and hear, had existed only in my troubled imagination. I still had the end of a candle in my hand, and determined to make another effor to relight it, and find my way to bed; for I was ready to sink with fatigue. I accordingly sprang up the stair-case, three steps at a time, stopped at the door of the armory, and peeped cationsly in. The two Gothic figures were no longer in the chimney corners, but I neglected to notice whether they had reascended to their frames. I entered, and made desperately for the fire-place, but scarce had I advanced three strides, when Messire Foulque Taillefer stood before me, in the center of the hall, armed cap-à-pie, and standing in guard, with the point of his sword silently presented to me. I would have retreated to the stair-case, but the door was occupied by the phantom figure of an esquire, who rudely flung a gauntlet in my face. Driven to fury, I snatched down a sword from the wall: by chance it was that of the commander which I had placed there. I rushed upon my fantastic adversary, and seemed to pierce him through and through; but at the same time I felt as if something pierced my heart, burning like a red-hot iron. My blood inundated the hall, and I fell senseless.

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"When I recovered consciousness, it was broad day, and I found myself in a small chamber, attended by the warder and the hermit. The former told me that on the previous night, he had awakened long after the midnight hour, and perceiving that I had not come to his chamber, he had furnished himself with a vase of holy water, and set out to seek me. He found me stretched senseless on the pavement of the armory and bore me to his room. I spoke of my wound; and the quantity of blood that I had lost. He shook his head, and knew nothing about it; and to my surprise, on examination, I found myself perfectly safe and unharmed. The wound and blood, therefore, had been all delusion. Neither the warder nor the hermit put any questions to me, but advised me to leave the castle as soon as possible. I lost no time in complying with their counsel, and felt my heart relieved from an oppressive weight, as I left the gloomy and fate-bound battlements of Tetefoulques behind me."

"I arrived at Bayonne, on my way to Spain, on the following Friday. At midnight I was startled from my sleep, as I had formerly been; but it was no longer by the vision of the dying commander. It was old Foulques Taillefer who stood before me, armed cap-à-pie, and presenting the point of his sword. I made the sign of the cross, and the spectre vanished, but I received the same red-hot thrust in the heart which I had felt in the armory, and I seemed to be bathed in blood. I would have called out, or have gone in quest of succor, but I could neither speak nor stir. This agony endured until the crowing of the cock, when I fell asleep again; but the next day I was ill, and in a most pitiable state. I have continued to be harrassed by the same vision every Friday night; no acts of penitence and devotion have been able to relieve me from it; and it is only a lingering hope in divine mercy, that sustains me, and enables me to support so lamentable a visitation."

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The Grand Prior of Minorca wasted gradually away under this constant remorse of conscience, and this horrible incubus. He died some time after having revealed the preceding particulars of his case, evidently the victim of a diseased imagination.

The above relation has been rendered, in many parts literally, from the French memoir, in which it is given as a true story; if so, it is one of those instances in which truth is more romantic than fiction.

TINDER.—Somebody describes tinder to be a thin rag, such as the modern female dress, intended to catch *sparks*, raise *flames*, and light up *matches*.

For The New-Yorker.

WINTER.

Still is the grove, once vocal with the lay,
Attun'd to love, by singing birds in glee,
As to the blush of morn in smiling May,
They woke in bliss their merry minstrelsy;
But now, alas! its faded honors strewn,
Yellow and sad on evening tempest borne.
No longer now in dewy verdure clad,
Dull silence reigns where late were all so glad;
Each warbler, too, far to a Southern clime,
Now bends his way, nor lingers here to pine,
While through the naked boughs the wintry blast
With melancholy music hurries past:
Borne on its wings, the dead leaves rais'd on high
'Midst clouds and tempests darken all the sky:
Bent to the blast, the trees in sadness moan,
The snow-flakes whiten o'er the sombre field,
The wild swan journies from his ice-clad home,
And tree and flower and shrub to rugged winter yield.

Stern monarch of the North, with hoary frown,
Thou goest forth unfeeling and in might!
Thou hast no compeer, in thy course alone,
All things before thee sink to lasting night.
Stopp'd by thy breath the streamlets cease to flow,
And soon the earth, oppress'd with drifting snow,
Feels thy dread presence in the dreary waste,
That spreads around thee in thine onward haste—
But most of all, Misfortune dreads thy wrath,
When storm-clouds lower upon its blighted path,
When through the shatter'd pane and casement bare,
Round the dim fire the mother hides a tear,
Looks at the pale thin cheek with hunger wan,
Nor finds compassion from the heart of man:
Thinks of the days when youth and plenty smil'd,
And bends in anguish o'er her dying child.
In ice-clad regions may thy course be bound,
Where mortal never breath'd, or warbler sung,
Where summer sun ne'er touch'd the frozen ground,
Or flower e'er bloom'd, or verdure ever sprung.

JUDGE TREMPER.

From the New-York Evangelist.

COWPER'S HYMNS.

"For bred at school, and college, he
Was mighty in hymnology." *Sir Joyce Cheeke.*

We shall say something this week of the *Olney Hymns* of the poet Cowper; and we know that the name of this great bard will be, of itself, enough to insure an interest in anything which has for its object the illustration of his genius, and of that religion to which he devoted his noble powers.

And if we cannot say of this fine collection of devotional poetry, in the mass, that it is precisely that sort of lyric, of which Sir Philip Sydney speaks so divinely in his 'Defense of Poesy,' we can at least claim for it the praise of lifting up the soul to heaven, on the principle, 'Whosoever *humbleth* himself shall be exalted.' "The Lyrick," says Sir Philip, in his quaint majesty of style, "it raiseth up its voice to the hight of heaven, in singing the lauds of the Immortal God." And true enough is this of the old *Te Deum* of Ambrosius, or the inspired songs of the Psalmist. But Cowper's Lyrics is of another sort: 'tis the same sweet bird domesticated; it singeth the Christian's love, his hope, his sorrow; and all this by his own little fireside, or in the sanctuary of his closet.

With no pretension to poetic ornament, it embodies sentiments so akin to the Christian's feeling and experiences, and that so harmoniously disposed and so fervently uttered, that beside their success in being daily used in all the churches, they are also common proverbs in our mouths, and quoted like 'proofs from Holy Writ.'

This excellent Hymn Book is of itself sufficient, we cannot but suppose, to set aside for ever Dr. Johnson's hazardous remark, that religious emotions cannot be favorably uttered in verse. The world ever prone to swear in the formulary of her masters, has indeed long endorsed the opinion of the critic with thoughtless acquiescence. But with all his sound sense and devout judgement in matters of plain prose, we do not think it rash to say, that he who saw so little to commend in Milton's beautiful Comus, and sublime elegy of Lycidas, and so many blemishes in Gray's magnificent Pindarics, and whose ponderous reviews of the British bards had nearly smothered the goodly fellowship in a mass, was not precisely the man to give a just and impartial criticism of devotional poetry in the abstract. That Boanerges of literature too often penned a raw conjecture, as a digested opinion; and any plausible thought entering his head in a sounding sentence, seems always to have found easy access to his paper. His opinion has long been gospel with the *mobile vulgus;* and it is well for the republic of letters that his opinions are generally safe. Had the great moralist been as infidel as Gibbon, what would the herd have cared? But as it is, he pulls the opinion of the mass generally quite right; and there he sits, the Ursa Major of literature, singing, like Dr. Faust, in the Gothic study-chamber,

"I'm called master—yes, called doctor too!
And up and down, and roundabout, and through,
I drag my scholars by the nose—I do!"

Hence the opinion has almost universally obtained, that hymns must of necessity be doggerel! and all devotional poetry either fanatical in its fervor, or prosy in its method. We are far from thinking the Olney Hymns the perfect models of the true liturgic lyric. By no means. But still, for *one* branch of that exalted province of the poet's art, we do not hesitate to call them models. To those who will object to this, their great simplicity, and their often meager rhyme, it must be answered, *what would you have?* Are not these characteristics natural to such emotions as they embody? There is a roughness on a plum, without which it would indeed be more *polished;* but who wishes to see it rubbed off! Or, as Cowper himself hints, what kind of a painter would he be, who should choose to paint from a peach which a child had smoothed of its velvet! These half-rhymes are sometimes the very soul of harmony, as in a concealed instance in Paradise Lost:

"——Or Siloa's brook, that *flowed*
Fast by the oracle of *God.*"

As well reject the rare old ballad of Chevy Chase for not scenting of all the exotic sweetness of Lalla Rookh; or deny to Maderia the name of wine, for not sparkling like the flimsy Champagne. Is there no poetry that doth not smell of musk—and must every instrument jig out strathspeys and reels? Express better the feelings of a thankful heart, than Addison hath done in four plain lines, which, if Cowper's, would be sneered at, and we will grant there is no poetry at all in this—

"When all thy mercies, O my God,
My rising soul surveys,
Transported with the view I'm lost
In wonder, love, and praise."

It was scarcely enough to say of Dr Watts, as Johnson did, that he had done better than others, what no one can do well. He did do well. His version of the Psalms is *well done*, apart from any comparison with others. He wrote too much to be appreciated, though. Had he not given us a casket of gems, we should doubtless have thought more of the precious jewels, which we now less admire, only because *buried* in pearls. Compare Watts' psalms with *Milton's.* Of none more appropriately may it be said, than of Milton,—

"He took the Muse at once, and dipped her,
Full in the middle of the Scripture:
What wonders then the man, grown old, did—
Sternhold himself he out-Sternhold-ed!"

We have been told, on the authority of an eminent divine, that the most learned and most venerable of our American Presidents since Washington, Mr. Adams the younger, has frequently expressed himself as admiring the hymn,

"How beauteous are their feet,"

beyond almost any other sacred lyric in the language: and we are sure there are many not inferior to it in Dr. Watts' psalmody.

But Dr. Johnson, with all his respect for what had been done, entirely erred in the feeling natural to every age, that there was no longer a *terra incognita* for the Muse to find. But at that very time, a humble clergyman, and a valetudinarian scholar at Olney, were setting the bright example of new exertion, and pioneering the way into new worlds of poetry. The Olneys' Hymns were the originals—I mean the *parents* of the more brilliant ones of blessed Bishop Heber; and who shall say where this is to end, when Montgomery still keeps up the singing, and when even Tom Moore has sometimes dropped his Bacchanalian joy, to take the harp of Israel from the willows, and to wake the world's wonder as of old, when they said, "Is Saul also among the prophets?"

Give us such hymns as Cowper's, sometimes, and you have given us a blessing which makes idle all the rhapsodies of the heathen, whether it be their noblest of epic or of drama.—We are sure that such must be the feeling of every good man's bosom. Who, in his hour of holy meditation—or who, in his lonely and troubled moment, would not prefer the ejaculation,

"O for a closer walk with God,"

to all the glories of old dithyrambic, or quaint romaunt! Or in the moment of our penitent and earnest grief for sin, how dear to the full soul is the assurance,

"There is a fountain filled with blood,
Drawn from Immanuel's veins."

And then in holy joy, we have the chastened enthusiasm of the expression,

"O how I love thy holy word,"

And when joy is winged to rapture, we sing in triumph,

"Sometimes a light surprises
The Christian while he sings."

Would the circumstances had been detailed to us, under which these several and differing hymns were written! To know under what affections of his sensitive spirit came forth such varied gushings of his heart, would add no little interest to their intrinsic merit. Thanks to a late biographer, there are two of them, which having long been favorites, will now be doubly so, when we know that the one was written when he felt the coming on of his long and terrible derangement; and the other under circumstances which he surely would have disclosed to us, had not his been a religion which shrinks from display, and which naturally precluded the gratification of an interest in our poetical favorites, which seems not discouraged in holy Scripture, when we read "A Psalm of David *when he fled from Absalom his son.*"

The latter of the twain was written, when sick of the things of the earth, he longed for the love of God, and sought refuge in ardent contemplation of the life to come. Loathing 'the thing he was,' and tired of the vanities of the world, he turns his back on the gay metropolis for ever. Confessing himself a stranger and a pilgrim, he sets his face to the country, and sings as he goes up to the beautiful hill of St. Alban's,

"Far from the world, O Lord, I flee!"

For what mysterious purpose that tender Shepherd, who is wont to carry the feeble of his flock in his bosom, left this shorn lamb, at a later period, to the raw, untempered element, is a riddle indeed: unless some glimpse of his superior wisdom can be caught in the plausible supposition, that reserving the high rewards of his own laureate for a purer world, he allowed him to suffer for a while in this, in order that the cloud and gloom that rested on his soul might be made instrumental to the sweet comfort of many Christians, long after their author had rested from his labors. The yearnings of his tried spirit in that night of horror have been subdued, we know; and certain it is, that the most devout hymns of the church are the promptings of the wounded heart; and many a bird that did nought but chatter in the grove, is found a sweet songster in his prison.

When that sad malady which had aforetime so nearly crushed the spirit of Cowper was coming on again for its last and abiding reign of seven long years, its approach was heralded to the sufferer by very much such failings of heart as are wont to apprise the sick man of the return of his fever. A preternatural influence hung around him; he felt that the finger of God was upon him; and he humbled himself beneath His mighty hand.

Walking in the fields on the eve of that awful occurrence, the presentiment of the long syncope that succeeded came powerfully upon him. Who that has read his letters and poems, cannot see the bard as he returns home dejected from his ramble. He looks despairingly at the green fields which he shall not soon behold again. He whose soul was wont to danse at the white blossom of the hawthorn, casts at it now a melancholy eye. Slowly and thoughtfully he paces over the fallow, his staff trembling in his hand, and his spaniel trotting unconsciously before him, while his quivering eye trembles between a glance at the clouded heavens and a tear to the desert earth. Oh! how differently he enters his door, from the joyous return of that evening when he rambled by the side of Ouse, and brought home the immortalized lily!

Poor sufferer! He hath no comfort but that hope which is so dear to the hopeless, partaking, as it so largely does, of faith and love. The shadows of night come around, and he disrobes for a slumber worse than death's—but not till he has breathed to his heavenly Father that beautiful petition, with which we may well close a notice of Cowper,

"God moves in a mysterious way,
His wonders to perform."

THE ART OF PUFFING—This branch of the fine arts is carried to no slight degree of excellence in this country, as none better know than—Editors of our periodicals; not from any share they may have in practising it occasionally, but from the ingenuity with which they themselves are frequently taken in by some puffing advertiser who gets a place in their Editorial columns, they scarcely know how. The Europeans, however, are far beyond us in this excellent art, judging by the instances we continually view in our exchange papers. The following one, whose object is to bespeak a favorable reception of a new Thespian debutante, is the best specimen that we have seen in a long time of 'the puff anticipatory.'

EXTRAORDINARY COMPETITION.—Three gentlemen well known in the fashionable world, have made a wager, the oddity of which is likely to give rise to considerable amusement. The first of the parties is to drive a stage-coach; the second is to walk through the country as an itinerant melodist; and the third is to perform four principal dramatic characters, two in tragedy and two in comedy. The greater part of the money obtained by these eccentric adventurers, in their several pursuits, is to be devoted to charitable purposes. The competitor who obtains the largest sum by his exertions, is to be the winner of the wager, which is to the amount of several thousands. We have not heard the "where-abouts" of the Jehu and Apollo, but it is said that the dramatic aspirant is to make his debut at Edinburg, and that he will afterwards appear at other provincial theatres. If the report we have heard of his talents proves correct, he will probably complete his career in London by performing a few nights at one of the great winter theatres.

Origin of the English Language.—From the Anglo-Saxons we derive the names of the most ancient officers amongst us, of the greater part of the divisions of the kingdoms, and of almost all our towns and villages. From them also, we derive our language; of which the structure and a majority of the words are Saxon. Of sixty-nine words which make up the Lord's Prayer, only five are not Saxon. Of eighty-one words in the famous soliloquy of Hamlet, thirteen only are of Latin origin. Even in our most classical writers, as Milton, Addison, and Johnson, the words of Saxon derivation greatly predominate. [Wade's British History.

Gapeties and Grabities.

A Norman priest, many of whose parishioners had not made the most honorable exit of this world, insisted, when he was baptizing one of their children, to be paid the nuptial and burial fees, as well as those of baptism; and when the parents asked the reason of this extraordinary demand, he replied: "Because I know, as soon as he is grown up, he will cheat me of my dues by going to Paris to be hanged."

A Host in Himself.—A party having been formed to play at cricket, found, on coming to the field, that they were but twenty-one in number, instead of twenty-two; on which, one of the party brought the worthy landlord of the tavern where they intended to dine. "Will friend Boniface do to make up the deficiency?" said the Mercury that had brought him. "Why, we only want one, Jack," said one of the party "why the deuce did you bring a *host*?"

Some one observed to Prince Henry of Prussia that it was very rare to find genius, wit, memory, and judgement united in the same person. "Surely there is nothing astonishing in this," replied the prince. "Genius takes its daring flight towards heaven—he is the eagle; wit moves along by fits and starts—he is the grasshopper; memory marches backwards—he is the crab; judgement drags slowly along—he is the tortoise. How can you expect that all these animals should move in unison."

Thunder.—M. Arago, from some researches he has made, believes it never thunders in the open sea, or in islands beyond 75 degrees of latitude north, and he thinks the same holds good on continents. An attempt has been made to question this by M. Baer, before the Petersburg Academy of Sciences; but he does not seem to have succeeded, as the single instance brought forward, in a six years and a quarter's residence at Spitzberg, is not well substantiated.

Railway Magazine.

Forensic Wit.—A lawyer, now deceased, a celebrated wag, was pleading before a Scotch judge with whom he was on the most intimate terms: happening to have a client (a female, of the name of Tickle) defendant in an action, he commenced his speech in the following humorous strain:—"Tickle, my client, the defendant, my lord." The auditors, amused with the oddity of his speech, were almost driven into hysterics by the judge replying—"Tickle her yourself, Harry; you are as able to do it as I."

An honest rustic went into the shop of a Quaker to buy a hat, for which twenty-five shillings was demanded. He offered twenty shillings. "As I live," said the Quaker, "I cannot afford to give it thee at that price." "*As you live*," exclaimed the countryman, "*then live more moderately*, and be hang'd to you." "Friend," said the Quaker, "thou shalt have the hat for nothing. I have sold hats for twenty years, and my trick was never found out till now."

Native Simplicity.—We were not a little amused, a few days since, while traveling in Illinois, in company with a young 'Sucker,' who had never visited St. Louis, or, perhaps never been out of sight of home, until then. On coming in full view of the city, he rose up in the wagon and exclaimed in apparent astonishment, '*Lord, dad, are them all houses?*' 'Yes,' was 'dad's' reply. 'And do folks live in all them houses?' 'Yes.' 'Thunder and lightning!' exclaimed the boy, 'what a *heap of pork* it must take to feed 'em all."

Capital Pun-ishment.—In his oration on laying the corner stone of a monument to commemorate the battle of New-Orleans, Mr. Barton introduced an anecdote which is said to have much excited the risible faculties of Gen. Jackson, and those present who heard it. Speaking of the certainty with which the British calculated to conquer our inexperienced soldiery, and of the little opposition they anticipated from the people of New-Orleans, he said "Why, do we not know what Lord Cochran told Laverty, and do we not also recollect Laverty's reply? 'I am astonished,' said Lord C., 'at the determined opposition which the people of New-Orleans have shown me; I thought they would hail me as a friend—a deliverer—and entertain me with suppers and with balls.' 'I certainly saw no preparations for the suppers you speak of,' said Laverty, 'but you have had a plentiful supply of *balls*.'"

Provincial Eloquence.—The following is an extract from a speech, made at a meeting, lately held in the City of St. John, N. B., for the purpose of raising funds for the distribution of Bibles:

Were there funds wanting at this present moment, to repel any threatened invasion, let us suppose the invasion so long and so insolently threatened by the State of Maine, how would the brave and hardy sons of New Brunswick respond to such a call? At such a call, how unsparingly would the old men pour forth their treasures, and the young men their blood. And yet, Sir, funds are wanting for a far more important purpose than to insure the political and commercial advantages of the City of St. John; funds are wanted to repel the encroachments of a more daring and implacable foe than Governor Fairfield; the City to whose prosperity, (not your political but spiritual) I would direct contributions, is the City of the New Jerusalem—the foe to be repelled is not Governor Fairfield, but Governor Satan.

The St. Johns (New Brunswick) Public Ledger, dismisses the Assembly with this complimentary remark:—"Take them for all in all, from the Speaker downwards, we do not suppose that a greater set of low-lived and lawless scoundrels, as public men, can be found under the canopy of heaven."

"Nothing," once said an old gentleman to us, "so much indicates the nature of a man's taste, as the style of the pictures which decorate the walls of his dwelling."

"But," we inquired, "suppose he has no pictures?"

"Then he has no taste," quickly responded the sage.

A Sailor's idea of Mythology.—He talked about the Island of Candy, whar' the sweetest gals was in all cre or any whar' else—and of a great chief called Molasses who killed a one eyed giant of a blacksmith, named Polly Famous by spitting in his eye—and about a fireman named Henearus, who carried out an old man, one Ann Kysis, on his shoulders when his house was on fire; for you see many o' them old Grecian men had wimming's names, and wisey warsey tew. But what took my cheese, was the parsing's tellin' us about tew fellows as got up the biggest chunk of a fight, and kept right at it for ten years stret out, and all about a gall named Ellen what skeeted from her moorings, and run off to Paris. Then the parsing tried to pint out the Island of Lip Salve, where a she-conjuror, called Sarcy, from her boldness, used to keep a hull skeal o' singing girls called Syringes, cos they suckled the sailors ashore, and then chawed 'em right up like a piece o' sweet cavendish. Then the middy who'd been keepin' dark and layin' low all this time, show'd his brought-en's-up, and let fly a hull broadside at the parsing about them are Syringes and other fabbelus wimming, sich as king Nepching's wife Ann Thracite and her Try-it-ons, and Neer a-heads, and river galls.

Burton's Magazine.

Clerical Anecdote.—Old parson W. of Bristol Co., Mass., related the following anecdote of himself. He wished to address every portion of his flock in a manner to impress them most deeply, and accordingly gave notice that he would preach separate sermons, to the old, to young men, to young women, and to *sinners*. At the first sermon his house was full—but not one aged person was there. At the second, to young men, every lady of the parish was present, and but few of those for whom it was intended. At the third, few young ladies attended but the aisles were crowded with young men. And, at the fourth, to *sinners*, not a solitary individual was there, except the sexton and the organist. "So," said the old parson, "I found that every body came to church to hear his neighbors scolded, but no one cared to be spoken of himself."

MODEL FOF MODERN MELO-DRAMAS.

To the Editor of the London Age: Sir—I write to you, feeling myself an ill-used man. Being desirous of adding my little efforts to the amusement of the public, I sent one of my dramas to the Adelphi, Surrey, Victoria, and other theatres; it is entitled 'Scenes of Crimes; or, on Horror's Head Horrors accumulate'—when, to my surprise, I find it rejected *by all*. I send you a copy of the three first scenes, to show you how fully I have worded out the title, and trust *you* will do me *justice* in your valuable paper.

ACT I—SCENE I—*The scene represents the interior of a Brewhouse. Enter* Matthew Maltblood *and* Peter Hoplife.

Peter. So, Matthew, you have found out the old man's treasure.

Matthew. Yes, in the yellow chamber his largest wealth he's hid; but vasty sums he on his person carries.

Pet. 'Tis well! More do you know?

Mat. But this; he shortly will be here. Five hundred now he upon his person carries, and more to receive.

Pet. [*stabbing him with a knife*]. Take thy receipt in full. Fool, thou hast told me all I wished to know. [Matthew *dies*.] He is dead. [*Voices from without*.] Ah! who comes? How to dispose of the tell-tale's body? Ah! the vat! [*Music. He carries the body and throws it into the vat*.]

[*Enter* Mr. Sell-all *and* Mr. Take-all, *the Brewer*.

Take. Walk in here, I beg, and taste our ale. Peter, bring in a jug of our best, and quickly.

Pet. Yes, sir! [*aside*.] Quicker than you desire.—[*Shows papers of poison (arsenic and prussic acid) to the audience*.]

Sell. The money I have brought—£300.

Take. Thanks, my friend. £500 I have just received from ——.

Take. Yes.

Pet. [*after pulling the poisons in the jug*]. 'Tis here.—

Take. Come, your judgement

Sell. Excellent!

Pet. [*aside*]. The judgement of you bo will soon be here.

Take. How strange I feel.

Sell. And I most queer.

Pet. Ah! both dead! Now to secure the treasure—£800—good. Now my escape—by yonder window. [*Music.—He ascends the ladder, turns to look upon the bodies, his foot slips, and he falls into the vat. Scene closes*.]

SCENE II. [This scene is not so encumbered with dialogue.] Polly Blackeyes, Moggy Bleedemnose, and Sarah Scratchemface, with other ladies and gentlemen—Jack Bilk, (the dyer,) Toweser, Drawem, Hobnail, Knockemdown, &c.—discovered in a brothel drinking; the ladies sitting upon the knees of the gentlemen, kissing, cuddling, &c. As the scene draws up a quarrel ensues. Jack Bilk is called a "*b——d liar*" by the ladies; he is seized by them, scratched, kicked, almost torn to pieces, his face and head covered with blood. He groans, and, in the most pathetic manner, exclaims—"I never bilked Pol-Polly Bl—a—" [*dies*]. Polly escapes by the window; a rope is slung her—her—her *bustle*. [*Hurried music. A picture is formed—the Dying Gladiator—and the scene closes*.]

SCENE III.—*Exterior of* Burke's *house*. [In this scene there is no dialogue.] Window R. H., through which you see the dead bodies of several males and females laid out upon tables. Music—'Haydn's Surprise.' *Three* Burkes are discovered on the stage, waiting for the prey. Women seen through the window, arranging and packing dead bodies.

[Sir Willibald Rawbone *enters*.]

Sir Will. It looks like rain. [*Puts up umbrella*.] The characters surround him, throw a plaster over his mouth, and drag him into the house.

[*Enter several Resurrectionists*.]

The Burkes are removing the clothes from their victim, when the scene closes.

The other scenes are of the same novel and interesting character, *one hundred* in number—fifty more *than the Surrey Jack Sheppard*.

Now, sir, this needs no comment. I repeat it, my drama has been refused. Could any thing be more *attractive*, more *repugnant to human feeling*?—and yet rejected.

I am, dear Mr. Editor, yours faithfully,

Regent's Park. Fire and Flame Fitz-Bullet.

Operatic 'Introductions.'—These nuisances are happily hit off in a recent critique of the 'London Morning Herald' upon 'Love in a Village', as sung at Drury Lane.—Miss Betts is playing *Lucinda*.

"What a delicious unconsciousness of the ridiculous is enjoyed by the mob of singers! How delightfully they vindicate their established right to be impertinent in what is called their 'introductions!' Here does Miss Betts, without any allusion to the feathered *prima donna*, treat us, at no notice, with 'Lo! now the gentle lark!' and that, too, with a bland and gracious smile, as if conferring a lasting obligation on boxes, pit and gallery. Nor is this sufficient: for, in the plentitude of her liberality, she throws in 'The Minstrel Boy,' the valorous death of the troubadour being beautifully illustrative of the intention of *Lucinda* when promising to elope with *Eustace!* "I have promised to run away with you," says she, and then dropping her eyes upon Mr. Elliason, the leader, the happy cue is taken by the orchestra, and Miss Betts wafts us away upon the wings of song to the battle-field and the bloody death of the harp-destroying minstrel.

"Its chords were made for the pure and free;
It shall never sound in slavery."

Having made this solemn declaration, in a most approved scream, Miss Betts—we mean *Lucinda*—puts her fair hand in the hand of *Eustace*, smiles another killing smile, and all is well again. Whilst, however, we acknowledge these our obligations to Miss Betts, we think she might render them still more stringent. In another part she has to say, "My sweet, pretty papa, your most obedient, humble servant!"—a most admirable opportunity, as we conceive, for the introduction of 'Rule Britannia.' Again, in allusion to her domestic prospects, *Lucinda* says—"Well, I hope we shall be happy;" when the 'Roast Beef of Old England' is, of all songs, the song to be introduced upon the occasion. Let Miss Betts think of these improvements. We the more readily dwell on the good taste of the singer in these introductions, inasmuch as, from the antiquity of the songs, it is not likely that she should have received any fee from the music-seller for the execution of the same. It is, of course, perfectly correct that Mozart, Weber, or Arne should be silent, if the singer has taken, of the publishing tradesman, ten, fifteen, or twenty guineas for the timely introduction of 'I met her at a Fancy Fair,' 'She sat within the Abbey Walls,' or any other soul-touching melody of equal potency. With this practice—a very common one—the public have nothing to do, save to applaud, as they applauded Miss Betts on Tuesday night; some fifty honest folks, with hard hands and long ears, vindictively punishing their fellow Christians with a call for an *encore*—a call which Miss Betts, with great moral courage, readily responded to. Whilst on the subject of these impertinences, it would be unjust not to chronicle the name of Braham as particularly distinguished for the felicity of his genius at 'introduction.' We remember him in the *The Castle of Andalusia*, at the St. James. The scene was a grove—the hour dawn. Braham entered, and, with a sentimental face and melancholy voice, shrewdly observed, "How brightly breaks the morning! Yes, it reminds me of that morning I never can forget;" whereupon Braham sung, 'Slow broke the light!' Another scene—enters Braham. "Hark?" says he, "methought I heard the sound of a trumpet;" and, without more ado, we had 'The Trumpet sounds to Victory.'—As long, however, as the public will endure these absurdities so long will the singer sin.

THE NEW-YORKER.

SATURDAY, FEBRUARY 8, 1840.

New-York and Virginia.—We have heretofore briefly alluded to the grave controversy which has arisen between the Executives respectively of this State and Virginia, involving the extent of the rights of the slaveholding and the duties of the non-slaveholding States of the Union under the Federal Constitution. The correspondence between the Governor of New-York and the Lieutenant (Acting) Governor of Virginia is far too voluminous to appear in a weekly newspaper, but the points in dispute may be brought within the limits of a reasonable article. We shall endeavor so to present them, being aided in so doing by a thorough and able review of the controversy in the new Southern Literary Messenger.

The facts on which the controversy is based appear to be substantially as follows: About the 15th of July last, a negro slave named Isaac, the property of John G. Colley of Norfolk, Va. escaped or was brought away from that place in the schooner Robert Center, of this City. On the 22d of that month, the master made affidavit that "on or about the 15th inst. Peter Johnson, Edward Smith and Isaac Gansey, now attached to the schooner Robert Center, at present in New-York, did feloniously steal and take from the said Colley a certain negro man slave named Isaac, the property of said Colley." This affidavit was certified as authentic by the acting Governor of Virginia, and a requisition thereupon made by him upon the Governor of New-York for the surrender of the persons implicated—viz. Johnson, Smith and Gansey. (The slave, we understand, has been long since retaken and returned to his owner.) The surrender of the persons implicated was and is claimed as a right, under that provision of the Constitution which makes it incumbent on the Executive of each State to surrender up any person charged with the commission of "treason, felony or other crime," within the limits of another State.

Gov. Seward, after due deliberation, declined to surrender the individuals demanded, substantially on the following grounds:

1. That the phrase "treason, felony or other crimes," though very comprehensive, was intended to include only crimes of such magnitude as would render the State liable to a requisition from a foreign power, if the offence had been committed within the jurisdiction of that power, and does not contemplate such petty offences as could not properly be made the basis of such a demand under the laws and comity of nations;

2. That the Executive of one State cannot be required, under this or any other provision of the Constitution, to surrender up citizens of that State at the requisition of the Executive of another, to take their trial in that other State for acts which, though heinous crimes under the law of that State, are no crimes at all in the State of which they are citizens, and which is thus called upon to surrender them;

And, as a consequence of the last proposition,—

3. That aiding the escape of a slave from his master, though "feloniously stealing" him under the laws of Virginia, being no crime nor even an offence under the laws of New-York, cannot be recognized as a crime by the Executive of New-York, so as to be made by him the basis of the surrender of a citizen of this State at the requisition of the Executive of another State wherein it *is* a flagrant crime and may be severely punished.

We will illustrate the position of Gov. Seward by a familiar case: Virginia tolerates and protects Slavery, while in Vermont it is regarded with dislike, and by a great portion of the People with abhorrence. Now let us suppose that Vermont should enact that any person bringing a slave within that State and holding him as a slave therein, should be deemed guilty of a flagrant crime, and punished accordingly; and, if he attempted to remove his slave again out of the State into which, to the destruction of his right of property, he had voluntarily brought him, then he should be deemed guilty of kidnapping, and punished as a felon,—and suppose a Virginian had incurred the penalties denounced against such offender, and escaped to his own State—would the Governor of Virginia surrender him to be tried in Vermont under such a law? We certainly think not.

But there are two sides to this question, and the one which we have not yet presented would seem legally a very strong one. We do not think the Lieutenant Governor of Virginia made the most of it in his correspondence with Gov. Seward—at least he did not fortify his case at all points so fully as the writer in the Messenger has done. Still his ground is maintained with vigor and ability, and the obligations imposed on the several States by the Constitution to respect each other's rights, laws and institutions are very forcibly set forth. In regard to Gov. Seward's postulate that the men claimed had committed no offence known to the laws of nations, the Executive of Virginia remarks:

"Is it true that the offence committed by Peter Johnson, Edward Smith and Isaac Gansey is not recognized as criminal by 'the universal law of all civilized countries?' They are charged with *feloniously stealing* from John G. Colley, a citizen of this State, *property* which could not have been worth less than six or seven hundred dollars. And I understand *stealing* to be recognized as crime by all laws, human and divine."

Gov. Seward's reply is hardly less pungent:

"It is freely to be admitted that the argument would be at an end, if it were as clear that one human being may be the property of another, as it is that stealing is a crime."

To this the writer in the Southern Literary Messenger responds as cogently:

"It might not be going too far to say that *stealing property* is recognized as crime by all laws, and that any State may make *that* property which she pleases. But here the question is not between Virginia, whose laws recognize slaves as property, and a foreign State, whose laws recognize no such property. The question is very different. It is between Virginia, under whose laws slaves are property, and New-York, who has made a compact with Virginia recognizing this very kind of property. New-York has said to Virginia, that if she will come into the Union with her, a Constitution shall be adopted for the government of the States, by which New-York will agree that, no matter what laws or regulations New-York may herself adopt to abolish slavery within her borders, persons held as slaves in Virginia, under her laws, who may escape into New-York, shall not be discharged from slavery; but the right of property of the owners shall be respected in New-York, and the slaves shall be delivered up on claim of the owners. New York has further agreed, by the same Constitution, that a person charged in Virginia with a crime, who shall flee from justice and be found in New-York, shall be delivered up to be removed to Virginia. After a union of the States has been formed, based upon the provisions contained in this Constitution, a person charged in Virginia with stealing property flees from justice and is found in New-York, Virginia demands the fugitive, and New-York refuses to deliver him up. New-York, while so refusing, admits that if the person is charged with a crime he ought to be delivered up: and she admits that stealing property is a crime. But the ground of her refusal is, that nothing was stolen except a person held as a slave, and that a person held as a slave is not property by the laws of New-York.

"We trust that it is not yet come to this, that New-York shall be told in vain that she herself has said, persons held in Virginia as slaves shall be recognized as property. We trust it is not too late to remind her, that she has so said in a Constitution which she agreed should be her supreme law, and which she declared the members of her State Legislature, and all her executive and judicial officers, should be solemnly pledged to support."

We have said this is cogently put, and so it is; but we do not say that it establishes the right of Virginia to claim and the duty of New-York to surrender for trial any citizen or citizens of the latter charged with aiding the escape of a slave or slaves from the former. We leave the judgement in the premises to be pronounced by others.

There is one point, however, on which the reviewer (who is known to be Conway Robinson, Esq. a distinguished Virginian) has decidedly the advantage of the Governor. He succeeds very fairly in showing that in 1832, in the case of *John L. Clark*, demanded of the Executive of this State by that of Rhode Island, on a charge of fraudulent abstraction of the funds of the Burrillville Bank, while he was President thereof—an act felonious by the laws of Rhode Island, but not by those of this State—the Governor acted and the Supreme Court decided precisely contrary to the doctrines of Gov. Seward respecting the general duties of States to each other under the Constitution in regard to the surrender of persons charged with "felony or other crime." As a precedent, this is certainly a very strong one, but we do not consider the Executive found by a single precedent in a question so vitally affecting the Rights and Liberties, perhaps even the lives, entrusted to his guardianship and protection.

Editorial Correspondence.

ALBANY, Tuesday Evening, Feb. 4.

The Anti-Sub-Treasury Resolutions were crowded through the Assembly at a late hour on Wednesday evening last, by the aid of the Previous Question, which was moved by Mr. French of Chautauque. Several Members were still anxious to speak on the subject, but the debate had already been protracted to a considerable length (fifteen speeches having been made—eight on one side, and seven on the other;) and the Previous Question was ordered by nearly a party vote. The Resolution passed by a vote of 62 to 46. They have not yet been reached in the Senate.

The bill authorising an extension in certain cases of the time allowed for the collection of Taxes, after being several times bandied from House to House, and twice referred to a Committee of Conference, was so amended by the second joint Committee as to obviate or weaken the objections of the Senate, and passed—in Senate, Ayes 22, Noes 3; in the House, without division. The bill as passed is general in its provisions, but merely allows an extension of the time for thirty days when the proper local officers decide that such extension is proper and necessary, and can be granted without detriment to the public interest—the Collector paying over all his collections and giving bonds for the residue.

The Senate, after debating several days the proposition of Col. Young to censure the President for his conduct on the election of U. S. Senator and striking out and inserting a censure on Col. Young for *his* conduct in the premises, (17 to 10,) has referred the whole subject to a Select Committee, consisting of Messrs. Furman, D. S. Dickinson and Hull. This Committee has not yet reported.

A bill introduced by Gen. Root, to repeal the act or acts by which County Judges are associated with the Boards of Supervisors in appointing County Treasurers and Superintendents of the Poor, has been made the theme, or rather the pretext, of a spirited political discussion in the Senate. Gen. Root spoke at length on Friday, was answered by Mr. Paige on Saturday. Mr. A. B. Dickinson spoke on the Whig side on Monday, and Col. Young returned the fire to-day. Various propositions to amend are before the Senate; among others one by Mr. Edwards to elect County Treasurers hereafter by the People, as County Clerks are now elected; and it is probable that the Committee of the Whole will hardly be able to report the bill to-morrow.

Gen. JACOB HAIGHT of Greene Co. was yesterday re-elected Treasurer of the State for the year ensuing. He was first nominated *viva voce* by a majority in each House, as follows:

	In Senate,		*In Assembly,*
Jacob Haight	18	Jacob Haight	57
Jared Willson	10	Jared Willson	40
Haight's joint majority 18.		Scattering (V. B.)	7—47

The Assembly has been earnestly engaged upon and has passed a bill authorizing the Comptroller to issue 6 per cent stocks to pay off a portion of the Bank Safety Fund which has been used in former years by the State, and certificates of 4½ per cent. given therefor. There is now a loud call on the Safety Fund—the City Bank of Buffalo having collapsed—and these 4½ State certificates will not turn to cash at par; whereupon it is necessary to issue a regular six per cent. stock in their stead. It was opposed toward the close of the debate, and finally passed by a dead party vote—57 to 45.

The bill to reorganise the Criminal Courts of New York from the Senate was to-day reported to the Assembly by the Judiciary Committee with an amendment. It will be strenuously opposed, but will probably pass. G.

Wednesday, Feb. 5.

The bill relating to the election of County Treasurers, &c. (repealing the act which gave County Judges a voice in their election) to-day was reported by the Committee of the Whole, amended, and passed to a third reading. Ayes 24, Noes 0. The proposition of Mr. Edwards to elect County Treasurers directly by the People, was negatived; Ayes 8, Noes 18. Several able political speeches were made before the bill was reported—the best by Mr. Sibley.

The Anti-Sub-Treasury Resolutions were referred to the same Committee of the Whole, and will come up for discussion to-morrow.

In the Assembly, several minor bills were passed, but none of decided importance.

Mr. J. A. King introduced resolutions condemning the

vote of the House of Representatives at Washington to *reject* all petitions relating to Slavery and the Slave-Trade.

Mr. Birdseye reported a bill to amend the Revised Statutes in relation to the Religious Belief of Witnesses.

Nothing else of moment transpired. G.

VIRGINIA.—The great contest for the election of a U. S. Senator has been going on in the Legislature, and sharp work they had, but still without any success. On the 29th ult. both Houses according to postponement from the 23d proceeded to the election. Two futile attempts were made on that day—four on the next and five on the subsequent day. At this juncture, finding it impossible to unite the votes of the three *impracticable* Whigs: Messrs. Smith, Baily and Crafford, with those of their Whig brethren who were willing to go for a Conservative Candidate. the name of Judge John Allen (Whig) was introduced among the other candidates. But still there was the same obstinacy evinced by the Conservative Whigs as had previously been exhibited by the Impracticables; and this movement had the effect to sever the Opposition force still farther. The House being exhausted by the intensity of their labors and want of food, originated a resolution to postpone the matter until the next day. It was sent to the Senate for concurrence, and was amended by that body so as to postpone *indefinitely* the whole election: ayes 23; noes 9. It was then returned to the House, and after some disagreement was finally passed by a vote of 67 to 65. The vote on the postponement was a mixed one—both parties being well convinced of the perfect inutility of the strife, and desirous to refer it again to the people at another general election.

The following are the results of the different joint ballotings:

	1st ballot.	2d	3d	4th	5th	6th	7th	8th	9th	10th	11th
William C. Rives	83	83	82	82	82	82	23	10	8	5	*4
John Y. Mason	79	80	81	81	81	81	80	79	80	81	81
John J. Allen	0	0	0	0	0	0	63	76	78	80	80
Scattering	4	3	3	3	3	3	0	1	0	0	0

On the 28th the Legislature conjointly, yn the fourth ballot, elected Daniel A. Wilson Judge of the 8th Circuit of Virginia in the place of the Hon. William Daniel, deceased.

Congressional Election.—We subjoin the following as the complete return for Member of Congress for the Loudoun district, to supply the vacancy caused by the resignation of the Hon. Charles Fenton Mercer.

	McCarty (W.)	Powell (W.)
Fairfax,	330	18
Fauquier,	86	316
Loudoun	617	387
McCarty's maj. 312.. Total..	1033	721

The majority for McIlhaney to the State Senate from the same district, was 301.

*One member was accidentally absent at the time this vote was taken.

MICHIGAN.—The Legislature proceeded, on the 20th ult to the election of U. S. Senator. The Senate nominated Augustus S. Porter (Whig) by a vote of 10 to 6 for E. Ransom, (Adm.) In the House the vote on nomination was for the former 30, for the latter 8, Scattering 10. The vote on joint ballot stood as follows:

For Augustus S. Porter	40
" Epaphroditus Ransom	14
" John Biddle	3
" Ross Wilkins	3
" A. Edwards	3
" Zina Pitcher	1—24
Majority for A. S. Porter	16

Mr. Porter's term of service extends to six years from the 4th of March last.

PENNSYLVANIA —On the 30th ult. the bill compelling the Banks to resume specie payments on the 16th inst., passed the House of Representatives by 60 Yeas to 24 Nays. On the 1st Gov. Porter sent a Message to the Legislature, in which he takes ground against the measure of forcing the Banks. He says:

"I believe if too vigorous a system of measures be adopted to coërce the payment of the liabilities of the banks, immediately, the credit of the State must and will be seriously and disastrously affected."

The recently authorised loan has been taken by the following banks at Philadelphia: United States Bank, $400,000; Pennsylvania Bank, $200,000; Girard Bank, $200,000.

MARYLAND.—The House of Representatives, on Jan. 27, passed a resolution, 47 to 10, that it is inexpedient for Banks to issue small notes.

The Abolition Vote in the House —The decision recently made in Congress, excluding all petitions or memorials on the subject of the Abolition of Slavery in any part of the Union, is of such passing importance that we give a separate article, in order to present to our readers a clear exposition of the mere facts pertaining to the whole subject. The following is the resolution as introduced by Mr. WADDY THOMPSON, of S. C. and debated for some days by the House:

Resolved, That upon the presentation of any memorial or petition, praying for the abolition of slavery or the slave trade in any District, Territory, or State of the Union, and upon the presentation of any resolution, or other paper touching that subject, the *reception* of such memorial, petition, resolution, or paper, shall be considered as objected to, and the *question of its reception* shall be laid on the table, without debate, or further action thereon

"That no petition, memorial, resolution, or other paper, praying for the abolition of slavery in the District of Columbia, or any State or Territory, or the slave trade between the States or Territories of the U. S., in which it now exists, shall be received by this House or entertained in any way whatever."

The last paragraph is the addition and amendment of WILLIAM COST JOHNSON, of Maryland, which was carried by a vote of 115 to 105. The Resolution, as amended, then passed the House by the following vote:

Yeas—Messrs. Alford, Andrews, Atherton, Banks, Beirne, Black, Blackwell, Botts, Boyd, Aaron V. Brown, A. G. Brown, Burke, W. O. Butler, S. H. Butler, Bynum, J. Campbell, Wm. B. Campbell, Carroll, Chapman, Coles, Colquitt, Connor, M. A. Cooper, Crabb, Craig, Crockett, Cross, John Davis, J. W. Davis, Garret Davis, Dawson, Deberry, Dennis, Dillet, Dromgoole, Earll, Eastman, Fine, Fisher, Fornance, James Garland, Rice Garland, Gerry, Goggin, Graham, Graves, Green, Griffin, Habersham, Hawkins, Hill of Va., J. Hill of N. C., Holleman, Holmes, Hopkins, Hubbard, Jameson, Jenifer, Joseph Johnson, Wm. C. Johnson, N. Jones, John W. Jones, Kemble, Leadbetter, Lewis, Lucas, M'Carty, McClellan, McCulloh, McKay, Medill, Miller, Montanye, Montgomery, Nisbet, Parish, Parris, Petrikin, Pickens, Pope, Prentiss, Proffit, Ramsey, Rayner, Reynolds, Rhett, Rives, Jas. Rogers, Samuels, Shaw, Albert Smith, Stanly, Steenrod, Strong, Sumter, Sweeney, Taliaferro, Taylor, Francis Thomas, P. F. Thomas, Waddy Thompson, Jacob Thompson, Triplett, Turney, Warren Watterson, Weller, John White, Lewis Williams, Joseph L. Williams, C. H. Williams, S. Williams, Wise, Worthington.—114.

Nays—Messrs. Adams, Judson Allen, John W. Allen, Hugh J. Anderson, Sim. H. Anderson, Baker, Barnard, Beatty, Bell, Biddle, Bond, Brewster, Briggs, Brockway, Ansor Brown, Calhoun, Carr, Casey, Chittenden, Clark, Clifford, James Cooper, Cranston, Crary, Curtis, Cushing, Dana, Davee, E. Davies, Doan, Doig, Duncan, Edwards, Ely, Evans, Everett, Fillmore, Fletcher, Floyd, Gates, Gentry, Giddings, Goode, Granger, Grinnell, Hall, Hand, W. S. Hastings, J. Hastings, Henry, Hoffman, Hook, Howard, Hunt, Jackson, James, Chas. Johnston, Keim, Kempshall, Lawrence, Leet, Leonard, Lincoln, Lowell, Mallory, Marchand, Marvin, Mason, Mitchell, Monroe, Morgan, S. W. Morris, Calvary Morris, Naylor, Newhard, Ogle, Osborne, Pabn, Parmenter, Paynter, Peck, Randall, Randolph, Rariden, Reed, Ridgway, Edward Rogers, Russell, Saltonstall, Sergeant, Simonton, Slade, John Smith, Tru. Smith, Starkweather, Storrs, Stuart, Tillinghast, Toland, Trumbull, Underwood, Vanderpoel, D. D. Wagener, P. J. Wagner, Wick, J. W. Williams, T. W. Williams, H. Williams.—108.

Of these there are *four* Members from the Slave States, who voted *against* the measure, viz: John Bell, and Meredith P. Gentry, of Tennessee; Joseph Underwood and Simeon H. Anderson, of Kentucky.

On the other hand, there are *twenty-six* Representatives of Free States who voted *for* the Resolution, as follows: Nathaniel Jones, John De La Montanye, Gouverneur Kemble, John Fine, John H. Prentiss, Nehemiah Earll, and Theron R. Strong, *of New-York;* Albert Smith and Virgil D. Parris *of Maine;* Charles G. Atherton, Tristam Shaw, Ira Eastman and Edmund Burke, *of New Hampshire;* Joseph Fornance, John Davis, David M'Culloh, James Gerry, William S. Ramsay, and David Petriken, *of Pennsylvania;* John B. Weller, Isaac Parrish, D. P. Leadbetter, William Medill, Jonathan Taylor, and George Sweeney, *of Ohio;* G. H. Proffit, *of Indiana.*

MASSACHUSETTS.—The House of Representatives, on Wednesday 29th ult. appointed a committee of three to report a bill for the repeal of the "fifteen gallon act." The vote on this motion was 285 to 172; and from it may be augured the final result of the measure. When the act in question was adopted in 1838 the majority in its favor on the part of the House was 106.

The Report of a Committee was accepted by the House on the 1st declaring void the election of William C. Brown returned as a representative from Boston.

RHODE-ISLAND.—Resolutions adverse to the policy of the General Administration, in regard to the Public Land question passed the House on the 29th ult. by a vote of 34 to 22. A motion to lay on the table a resolution introduced by Mr. Slocum in favor of the Independent Treasury and against the suspension by the Banks, prevailed by a vote of 43 to 13.

XXVIth CONGRESS.

Wednesday, Jan. 29.

A further correspondence between the Secretary of State and the British Minister, was laid before the Senate in a Message from the President; five thousand copies were ordered to be printed. The resolution offered on a former day by Mr. Webster was taken up—relating to steamboat disasters. In the course of his remarks on this subject Mr. W. remarked as follows:

"He wished to refer to the singularly affecting incident which lately befel one of the steamboats in Long Island Sound. But, if the duty was a proper one for him, he hardly knew how he would be able to perform it. I regard it, however, (said Mr. W.) as one of those occasions in regard to which wise men, who are guided by the lights of experience, will endeavor, as much as is in their power, to give better security to the lives and property of men embarked on board these conveyances, over which, as yet, no adequate jurisdiction is extended, and no sufficient responsibility imposed.

"I have no doubt that great benefit has resulted from the act passed a few years ago. There are sundry provisions of that act—such, for instance, as requiring the use of iron chains—which are very useful; and there is little doubt that it is one of the most important acts that ever passed the Senate. It makes the fact of an explosion in a steam vessel presumptive proof, or *prima facie* evidence, against its managers and proprietors, till they show the contrary. Since that explosions have been less frequent. And in my opinion there is no way in the world to prevent fire but by some such provision against the occurrence of fire. If they will expose life, they ought to be answerable, and be required to show that there was no carelessness, but that it was an accident, or, in other words, an act of God.

"But I would go still further, and authorise the committee to report a direct, declaratory law, that all owners of vessels and carringes conducted by steam, shall be taken as common carriers in the view of the law, and not be able to relieve themselves from this by any notice or advertisement whatever. I believe they are now so considered by the better informed; and yet it is a very common thing to give notices in respect to railroad cars and steam vessels that they are not responsible for the fate of what they carry. There is no more sense in this than that a man should not be responsible for assault and battery. Yet, by a notice, they think to discharge themselves from all responsibility. I happened to receive a bale or box of books from one of the railroad cars, and here is the bill of lading:

"Received from A. B. one box, marked and numbered as per margin, which we promise to forward (damages of fire, water, breakage, and leakage excepted, and not holding ourselves responsible if lost, stolen, or damaged, beyond the value of $200 per package, unless insured by mutual agreement) to C. D., upon presenting this receipt at our office therefor. Signed, &c."

"A very pretty contract to give out, and affording great security for property! It is full time to set this matter right; and if there is an important branch of legislation, which no one State can reach, (for I do not say that Congress should provide a remedy where it can otherwise be done,) this is one to which Congress should attend. For if such a notice were proper at all, how can a man know that is always exists? Public convenience requires that such conveyances should not be relieved from responsibility.

"And there should be another provision compelling inspectors to do their duty, and causing them to be indicted if they should show partiality. And if they are convicted of failing in their duty, they ought to be liable for all losses resulting from such failure. To this, and to still other points, I hope the committee will give their attention.

"I had in my pocket yesterday, and I think I had not seen it before, a document made out by a commission from the British Board of Trade, on the subject of steamboat accidents during the last ten years. The examination was made all over the country; and the nature and cause of the accidents were specified as far as they could be. And it is found that in ten years there have been ninety-two disasters of steam-vessels, with loss of lives and property. They are divided into four classes, comprehending all such disasters and accidents. The first class are those which happen to all vessels at sea; and of the ninety-two, that class is forty. The second class are those which have occurred from explosions, and of these there were twenty-three. The third class is from fire, of which there were seventeen; and the fourth from collision, of which there were twelve.

"From the cause of fire, seventeen such disasters are known to have happened within the last ten years, and of many of these the particular cause was known, though of several it was not known. But, from their report, there was not one of those that were known, in which there was any considerable loss of property and life, which was not owing to the negligence in the owners or conductors. Mr. W. specified them successively, showing the truth of the statement.

"The inference that I draw from this is, that Legislation has yet much to do on this subject, and, from new and terrible disasters. Congress are bound to carry their power on this subject to the greatest extent, and prevent as far as possible the recurrence of the ineffably horrible incident to which I have alluded."

The resolution was then temporarily laid on the table.

The bill to make certain provisions in relation to navy pensions was taken up, and a resolution offered by Mr. Preston, calling upon the Secretary of the Navy for certain information in relation to the number of such pensioners, was adopted. After which the Bill establishing a Board to examine claims against the United States, was read a third time and passed.

In the HOUSE, the day was consumed in a debate on the subject of the Public Printing. Mr. Graves of Ky. made a long speech on a resolution which he offered as an amendment to the proposition previously before the House: authorising the Clerk to procure it done in the manner prescribed by the joint resolution of 1819, and on the lowest terms, provided they shall not exceed those fixed by the aforesaid resolution. An amendment was then offered by Mr. Garland of La. to the end that the printing be separated from the newspaper press.

In the SENATE, on Thursday, Mr. Grundy from the Special Committee having the reference of Mr. Benton's resolution in opposition to the plan of assuming the debts of the States by the General Government, made a report concurring with them. An animated debate took place between Messrs. Nicholas, Grundy, Crittenden, Benton, Smith of Ia., Southard, Brown, Preston, King and Webster. After which the report was recommitted to be modified by the committee according to their impressions after the debate.

In the HOUSE, the resolution and amendment of the previous day were taken up. Mr. Davis of Ia. moved that the whole matter be laid on the table that he might introduce a proposition of his own, and the question having been taken, there appeared 116 Yeas, and 108 Nays. He was about introducing his resolution when it was objected to as out of order. Mr. D. then called for the order of the day: that for the election of Printer. After an excited debate on points of order, attempts to introduce various resolutions, and motions to adjourn, the House proceeded at a late hour to vote, viva voce, for Public Printer. Mr. Vanderpoel of N. Y. nominated *Blair & Rives*, and Mr. Davies of Pa. *Gales & Seaton*. Messrs. Vanderpoel, Smith of Me., Black of Ga., and Davies of Pa. were appointed tellers. The result was proclaimed as follows:

Whole No. of votes, 207: Necessary to a choice, 104.

For Blair & Rives,	110
" Gales & Seaton,	92
" T. W. White of Richmond, Va.	2
" Jacob Gideon,	1
" S. Stambaugh, of Philadelphia,	1
" Duff Green,	1—97

So Messrs. Blair & Rives were elected Printers to the House for the 26th Congress by a majority over all opposition of 13. A resolution of Mr. Black, which was adopted, prescribes that the prices paid them for printing, shall be determined by a Select Committee of the House.

In the SENATE, on Friday, the Select Committee on Mr. Benton's resolutions made their second report, which was somewhat modified from their previous one; and after some debate, the subject was passed over informally.

The subject of the assumption of State Debts came up, and Mr. Wright spoke adversely to the plan. Among other things he said he was glad the Opposition Senators had expressed their astonishment that a project for assumption had been brought forward.

Mr. Webster rose instantly, and said he had not expressed a tonishment at such a project, for there was no such project. Nobody had proposed any such measure. His astonishment was, that the committee should think it necessary to make so elaborate, rhetorical, and flourishing a report, against propositions which no one made, and opinions which no one entertained.

Mr. Wright resumed: and said, "well then, if I am to understand the Senator from Massachusetts as in favor of assumption, be it so."

This most disingenuous remark, gave infinite delight to several of the Administration Senators, who thought they had Mr. Webster and his friends on the hip.

Mr. Webster rose again; and said with warmth, "the honorable Senator is to understand no such thing. Why are there obvious perversions made of what I say. I submit to the honorable Senator, if his own character does not require the exercise of more fairness. I have never said a word in favor of assumption. I have only said that nobody was in favor of it; and I complain of the Report that under pretence of beating down opinions which nobody asserts, and resisting propositions which nobody makes, it takes occasion to lecture the States, to rebuke their policy, and to say many things greatly prejudicial to their credit and their interest.

The time of the House was principally occupied in an unsuccessful attempt to elect a Committee of five to superintend the charges for the Public Printing. But three were chosen when the House adjourned until Monday.

IN SENATE.....*Monday, Feb.* 3.

Mr. Clay of Ky. presented a petition asking the establishment of a new Department of the public service: an Agricultural Department. He commended the motives of the petioners and expressed a willingness to do all that could be done constitutionally in their favor; but he did not think it necessary to have a separate department of the Government to attain the object.

The Report of the Committee, of which Mr. Grundy is Chairman, condemning the plan of the assumption of State debts by the General Government, next came up and was debated.

Mr. Clay of Ala. addressed the Senate at some length in favor of the report against the assumption of State Debts.—He went into a labored defence of Mr. Grundy, and contended that *there was a proposition before Congress, and there had been one for right years, in relation to the assumption of State Debts.* All were eager to have his authority. It was no more than that in April, 1832, a bill was passed for the distribution of the proceeds arising from the sale of the public land; and since then, yes, every year since then, said Mr. C. the same proposal has been renewed. Mr. Clay censured the Whig Senators for their opposition to Mr. Grundy's Report upon State Right ground.

Mr. Crittenden of Ky. was included in the number of those State Right worthies, and after Mr. Clay had concluded, he rose to respond.

Mr. Crittenden objected to the classification which had been made by the Alabama Senator He was not a State Rights man, and never had been, as he had known that party. If to belong to the old Republican School and to the old Republican Party that was, and the Whig Party that is, was to be a State Rights man, he had no objection to be considered as one. But he belonged not to the State Rights party of the present day.

Mr. Phelps of Vt., has the floor to-morrow.

In the HOUSE, the voting for the appointment of the Select Committee of five to regulate the prices of the Public Printing was finished. The following gentlemen were elected: Messrs. Black of Ga., Davis of Indiana, Prentiss of N. Y., Garland of La., and Evans of Me. The House then proceeded to the election of a Chaplain, and adjourned after one trial which was unsuccessful.

IN SENATE,.....*Tuesday, Feb.* 4.

Mr Tappan gave his views at some length in relation to certain petitions sent him from Ohio, and declined to present them. These petitions were from the abolitionists of Ohio, praying for the abolition of slavery and the slave trade in the District of Columbia, signed by both males and females. Mr. Tappan went into an extended explanation of his views upon the subject. He held the right of petition sacred upon every subject respecting which it is proper for people to petition. If the people of Ohio had any particular grievances to petition against, he would chuerfully present their petitions. But in regard to slavery in the District of Columbia it was none of ther concern. The people of Ohio lived remote from that District—they had very little intercourse with it—and as to slavery they were not affected by it. He believed that Congress had a constitutional right to abolish slavery in that District. But it was not the business of Congress to interpose except on petition from the people of the District themselves. On the subject of female petitions, Mr. Tappan held the following language:

"As to the female signers of these petitions, I have a word to say. Nature seems to have given to the male sex the exclusive powers of government, by giving to that sex the physical strength and energy which the exercise of those powers calls into constant and active exertion. To the female a more delicate physical organization is given; and she need not repine that she has not the iron nerve of her protector, man; he has the storms of life to encounter; she has the calm and sunshine of domestic peace and quiet to enjoy. Hers is the domestic altar; there she ministers and commands, in all the plenitude of undisputed sway, the fountain of love and blessedness to all around her; let her not seek madly to descend from this eminence, to mix with the strife of ambition or the cares of government; the field of politics is not her appropriate arena; the powers of government are not within her cognizance, as they could not be within her knowledge, unless she neglected higher and holier duties to acquire it.—Bound by her associations, by her education and habits, as the American woman is, to the institutions and laws and manners of her country, let her evidence the soundness of her principles, by guiding the young minds committed to her maternal charge in that same love of liberty and devotion to their country she feels, and she need not fear but that her sons will correct all the errors of government, as experience shall point them out. For myself, I cannot recognize the right of my fair countrywomen to meddle with public affairs. Whether slavery shall be abolished in the District of Columbia, or not, belongs not to them to say; much less does it belong to the women of Ohio to agitate questions of public policy, which her own state government has often declared it wrong in her citizens to meddle with."

Mr. Preston said there was nothing before the Senate to excuse his remarks, but he could not repress the feelings of pleasure and satisfaction with which he had listened to the eloquent and patriotic remarks of the Senator from Ohio.—Should the same sentiments be expressed from other sections of the country, the incendiary spirit of abolitionism would soon be trampled down and extinct. Standing in the political relations he did to the Senator, he could express his feelings more freely; and, for himself, and in behalf of the section of the Union more particularly interested in this matter, he tendered to the Senator his sincere and heartfelt thanks.

A memorial was presented by Mr. Linn, asking for surveys to be made with reference to constructing a ship canal across the isthmus of Darien.

Mr. Webster submitted his resolution in relation to the still greater security of steamboats, which was agreed to. It provides that the masters or owners shall be responsible as common carriers, and whenever any losses of freight or injury to passengers shall occur, they shall be held accountable. If any inspecter of boats shall give a false certificate, he shall be deemed guilty of high misdemeanor, and on conviction thereof, shall be punished with $500 fine and ninety day's imprisonment, and in addition shall be liable to a civil action for damages for all accidents or losses that may ensue.

The resolution of Mr. Preston desiring the President to state the reasons for the removal of Gov. Call, of Fa. was taken up, debated, amended by striking out that part which requests him 'to give his reasons,' and adopted.

The report of the Committee on assumption of State Debts next came up, and Mr. Phelps addressed the Senate in opposition to the report and in vindication of the State of Vermont, which has no debt, from the charge that, by voting for the Land Bill, she had virtually sanctioned a project for the assumption of the State debts. The subject was informally passed over at the request of Mr. Calhoun who has the floor to-morrow.

In the HOUSE the Committee of five on the Public Printing submitted a resolution asking for a clerk to record their proceedings, and to have power to send for persons and papers: Adopted. The House proceeded to the election of Chaplain, and on the fourth trial the Rev. Dr. Bates of Mass. was chosen by a vote 92 to 83 for Rev. Mr. Braxton.

Mr. Thompson of S. C. from the Military Committee, introduced a bill providing for the raising 1600 men to serve aginst the Florida Indians: Referred to the Committee of the Whole.

MICHIGAN ELECTION.—Complete.

	Governor.		Lieut. Gov.	
	Whig. Woodb'ge.	*Adm.* Farns.	*Whig.* Gordon.	*Adm.* Fitzg'ld.
Monroe	755	933	755	932
Lenawee	1694	1640	1689	1637
Hillsda'e	667	535	681	544
Branch	382	575	382	475
St. Joseph	581	780	548	538
Cass	503	467	460	497
Berrien	462	389	407	435
Wayne	1998	2021	2511	1999
Washtenaw	2352	1836	2354	1801
Jackson	1331	969	1330	952
Calhoun	1065	1052	1080	1024
Kalamazoo	879	655	882	628
Van Buren	153	167	156	154
St. Clair	482	345	475	350
Macomb	807	786	807	783
Oakland	1965	1816	1965	1799
Livingston	576	633	517	621
Ingham	194	190	158	168
Eaton	217	153	218	149
Barry	113	87	113	85
Allegan	217	189	214	179
Lapeer	396	332	392	330
Genesee	392	328	392	327
Clinton	116	239	116	139
Shiawassee	198	129	191	126
Ionia	195	218	197	124
Kent	228	288	218	287
Ottawa	24	53	23	53
Saginaw	60	83	60	83
Mackinaw	41	52	41	52
Chippewa	22	42	22	42
Total	**19,030**	**17,782**	**18,671**	**17,512**

Latest Foreign News.

FROM ENGLAND.

Ten Days Later.—The ship Patrick Henry arrived here on 1st inst. from Liverpool, with dates of that city to the 26th of December, of London to the 25th, and of Paris to the 23d.

The British Queen arrived in England on the 25th Dec., having been out twenty-five days. She was delayed by strong head winds, and experienced one severe storm, which lasted seven days. She will not leave England until the 1st of March. The steam-ship President is nearly ready for launching. She may be expected here on the 20th of April.

Parliament was to have convened on the 26th of January, on account of the Queen's marriage, which is fixed to take place in February. It is believed, however, that Parliament will soon be dissolved after its first meeting.

The new Ministry is formed in Portugal, under the Count de Bonfim.

The French Embassy at London has been offered to M. Guizot.

The Pope has caused to be issued an Apostolic Letter prohibiting the slave trade, and forbidding the clergy or laity to teach publicly or privately that this traffic is lawful.

General discontent prevails in Greece. The opposition asks King Otho to give as good a charter as the Sultan has granted his subjects. A Bank is about to be established at Athens.

There is nothing new regarding Turkey, excepting that a special Minister is about to to be sent from St. Petersburg to London, to consult with the British Ministry upon the subject of the 'affairs of the East.'

The overflow of the Nile was so complete, that the grain crop in Egypt will be immense, and commerce revive by the free export allowed to the crop stored.

The Viceroy of Egypt has granted authority to two Englishmen to establish a line of steamboats on the Nile.

Lord Ponsonby, it is rumored, will be recalled from Turkey, and his place supplied by Lord Durham. Lord Normanby is to succeed Lord Auckland as Governor General of India.

The Money Market has not improved. Cotton is down ⅛ @ ¼ cent per pound. Large failures have taken place in the woollen districts. Consols were at 91⅞ @ 92 on the 25th at London; Three Per Cents, reduced, 90⅜; Exchequer Bills, 6*s.* @ 4*s.* discount. Money is very plenty on the Continent.

The French Chambers met on the 23d; earlier than usual, on account of the Algiers troubles. The army of Abdel Kader had been defeated in two engagements by the French forces. The succors despatched to that place were just beginning to arrive.

Warlike preparation are making by Russia against Turkey.

The elections in Spain are favorable to the Exaltados or Democrats. Military operations have been suspended for the winter.

Colonel Hodges succeeds Col. Campbell as British Consul General for Egypt.

Lord Palmerston, who is fifty-six, has married the Countess Cowper, sister to the Premier; the lady is three years younger than her husband.

It seems to be confirmed that O'Connell will not stand for Parliament after this sitting.

James Smith is dead. He and his brother Horace wrote the noted 'Rejected Addresses.'

The Thames Tunnel is nearly finished.

The news of another great battle in India is announced at Kernaul, Hindostan, where the British made extensive havoc among the natives, and obtained large quantities of treasure, amounting to a million sterling. A letter states that there were 600 brass guns taken, and military stores sufficient to supply 100,000 men for two years. Also 500 complete suits of chain armor, and Damascus swords worth $50 each. The Rajah had a pair of pistols, every part of which, except the springs, was of solid gold, with pure agates as substitutes for flints.

From China.—The Robert Fulton arrived here last Sunday from Canton, brings dates to the 24th of Sept. being 45 days later than previously received. A blockade of that port had been declared by the Commander of the British vessels—to be enforced after sixty days. But on the protestation of the American merchants, it was immediately revoked. The British had been obliged to leave Macao and take refuge on board the shipping. The English trade is entirely suspended.

There is much irritation between the English and Chinese, the former having fired into several junks, and having made an attack, under the command of Captain Elliot, on the forts and junks at Kow Loore, a few miles to the eastward of Hong Kong; it was reported several Chinese had been killed, amongst which was a Mandarin of rank. Captain Elliott narrowly escaped, having a ball through his hat. The Chinese claimed the victory. A very severe edict had been issued by the High Commissioner, in consequence of the above attack, and the notice of the intended blockade.

The American trade continued without molestation on the part of the Chinese, and several vessels had availed themselves of the protection of our flag to prosecute the opium trade along the east coast of China. Two English ships the Yeuclus and Marmion loaded with Teas and bound to England, left at the same time with the Robert Fulton.

From South America.—Letters from Montevideo dated 19th ult. state that another unsuccessful attempt to overthrow Rosas had been made in Dolores, about fifty leagues South of Buenos Ayres. The French Admiral has withdrawn his blockade from the coast of Patagonia, to the Southward of Cape San Antonio. The contending parties in the Oriental Republic had not yet come to action.

The Ship Lausanne which left this port on the 9th of November, having on board the Methodist Missionary Expedition for the Oregon Territory, touched at Rio Janerio on the 9th of December. Rev. Mr. Dibble and wife for the Sandwich Islands, are passengers in the Lausanne.

From Texas.—An arrival at New-Orleans furnishes with news to the 19th ult. A bill for chartering a Real Estate Bank had been introduced into Congress and will probably pass. A light house is to be established on the east end of Galveston Island.

In relation to the capture of Matamoras by the Mexican Federalists combined with certain Americans under Ross, there seems to be some conflicting statements. One account states the fact, another contradicts it, until we hardly know which to believe. The last rumor is through "two gentlemen direct from Rio Grande," who state that Matamoras had fallen into the hands of the Federalists, after an action of three days, in which a great many were killed on both sides, among whom were sixty Americans. This may be perfectly true; but we fear it will be denied by the next intelligence. A projected duel between Captains Skerrett and Lawrence of the army, had been stopped by legal means. The laws of Texas against duel are very rigid. The Navy has been laid up in ordinary and twelve officers had resigned.

Peru and Bolivia.—Preparations for renewing the war are making between these two Governments, in consequence of the latter having refused to perform the following insolent demands of the former: 1. That Bolivia pay to Peru $6,000,000, on account of the war with Chili; 2. That the boundary line between the two countries be defined so as to deprive Bolivia of a large extent of territory; 3. That certain flags captured at two battles be returned to Peru with all the honors of war; 4. That the port of Cobija be closed and the commerce be carried on through the Peruvian port of Arica, by which Bolivia would lose a considerable share of revenue; 5. That Bolivia send to Peru one soldier for every Peruvian killed in the two battles above referred to.

Upper Canada.—The returns made to the Provincial Parliament state that the expenses attending the trial of the prisoners taken at Prescott were $9,200. A bill appropriating $160,000 for the liquidation of these and other expenses, has passed the Assembly. On the 29th ult. a party of four privates and a Sergeant, belonging to the U. S. Army, crossed over from Fort Gratiot to Point Edward in pursuit of a deserter. They found him and were about returning with him in custody, when they were all arrested by the guard stationed there and sent off to head quarters. The officer commanding at Fort Gratiot sent to demand their release, but before the messenger arrived, they were already on their march. If this story be true, it will probably be a subject of some difficulty.

Buenos Ayres.—Admiral Dupotet had arrived at Buenos Ayres on his way to the seat of war, accompanied by a numerous force, for the purpose of urging to an issue the difficulties between France and that Province.

Parents Beware.—A little daughter of Capt. Thompson of this city, at tea-time, on Sunday evening last, walked to the table and seized hold of a vessel containing boiling water, and pulled it off. It struck on the infant's breast, and emptied its contents on her breast, neck and arms, scalding her in a most awful manner. The little sufferer was lingering on Wednesday afternoon in great agony, but with no prospect of surviving. We sincerely trust that parents will take warning from this distressing accident, and suffer their children to approach neither fire nor water, by any means.

Oil for Lamps.—Experiments have been tried with a newly invented lamp called "Parker's hot oil lamp," which demonstate that by using sperm oil, the cost of illumination is fifty per cent cheaper than by any others means. It produces an economy of light nearly twelve times greater than German wax candles, seven times greater than mould candles, and fourteen times greater than spermaceti.

☞ The Hon. Levi Beardsley has been elected President of the Commercial Bank of Oswego, in the place of L. Jones Esq., and J. B. Plumb, Cashier.

☞ It is stated in the Albany papers that Judge Savage has resigned the office of Clerk of the Supreme Court at Utica, and that Hiram Denio, Esq. has been appointed to take his place.

☞ The First Presbyterian Church at Auburn has recovered $7,666 of the Auburn and Syracuse Railroad Co. for damages made by their road in passing over a corner of land agbeloing to the Church

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Wholesale Burning.—It is stated, that in the year 1839 property was destroyed in this city to the amount of $4.029,500, of which $3,488,744 was in goods. and $540,756 in buildings. The loss during the month of January, 1840, from the same cause, is not less than $1,500,000. So we go,

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New England Newspapers.—It appears from a pretty carefully collected table in the Boston Almanac, (though, by the way, we see some errors in the list of our city papers) that the number of newspapers in Maine, including semi-weeklies, &c. is 43; in New-Hampshire, 25; Connecticut, 30; Rhode Island, 15; Massachusetts, 109; Vermont, 26; total, 248 in New-England. Those who are curious in such matters may amuse themselves by comparing these returns with their respective populations of the States. Massachusetts would be found greatly ahead in such a calculation, having over double the number of papers that New-Hampshire and Vermont have together. The two last are just equal to each other, if to the New-Hampshire list be added, as it should be, Hill's "Monthly Visiter." In Boston much the largest proportion of papers to the population is found, as might be expected—being 46 (at least) to 80,000 inhabitants, or one to every 1739.

Boston Transcript.

Postcript to the Quarto Edition.

Saturday Morning, Feb. 8.

IN SENATE..... *Wednesday, Feb. 5.*

Mr. Calhoun took the floor on the subject of assumption of State Debts, and spoke more than an hour in opposition to the project. His main object was to condense the Distribution policy, and to show that the Tariff of 1828 was the cause of all the accumulated evils which have since disordered the finances of the country. He contended that a distribution would be assumption.

He was followed by Mr. Preston, who thought that a discussion was out of place, inasmuch as no proposition of the kind had been made—and moved to lay Mr. Grundy's report and resolutions on the table. The motion was negatived by 16 to 29.

The question was then taken on printing the report and carried: Yeas 36; Nays 8. It was then made the special order for Monday next.

In the House, a great number of memorials and petitions were presented. On the requisition of Mr. Randolph of N. J. the Speaker announced that he had received certain resolutions from the General Assembly of that State, in relation to the course of the House touching the contested seats, and declined to present them because they were addressed to him, not as Speaker, but as a Member of the House. A discussion on the Speaker's course occupied the remainder of the day.

Massachusetts.—The Atlas of Thursday morning announces that the bill for the repeal of the License Law of 1838 has passed both Houses of the Legislature.

NEW-YORK.

'*Civil Offices and Political Ethics*, by E. P. Hurlbut.'—There's a queer doctrine very much in vogue just now that the knowledge of government is a spontaneous growth of the human mind. A shoemaker serves an apprenticeship of some years to a cobbler before he ventures to handle a last on his own account; and the cobbler will not trust the tailor to cut out a pair of corduroys for him unless the other has bestowed some labor in learning his trade; but in the matter of cobbling with laws and constitutions we all of us have a natural gift that does away with the necessity of every kind of apprenticeship.

We called the doctrine queer, but it was a misnomer; for certainly a belief that it is so general can hardly be represented as singular. On our own part, however, we confess a prejudice in favor of those founders of our government who being constitution-mongers by profession, or 'statesmen,' as some would call them, availed themselves of the accumulated knowledge and recorded experience of mankind in the science of government while erecting the glorious fabric in which we dwell. These sages were, to be sure, far behind the bold and dashing minds of the present day in a fertility of theoretical knowledge; but they were *practical* men. They did not imagine systems and then attempt to mould mankind to suit them. They studied men as they were and then cast about to find a political system that suited their condition. They died and left a pretty general impression in the world that their business was well done—an impression which we fear, however, is rapidly wearing away, judging by the many ingenious persons who find encouragement in every novel attempt to mend their work. One of these modest tinkers of our institutions, who figured in the December number of the Democratic Review, was ably handled by a correspondent in our last week's paper. The wise proposition of this gentleman was to remodel our courts of justice, so as to make Juries Judges of law as well as of fact! A proposition every way worthy of the class of amateur statesmen who are as plenty as opera-critics amongst us.

With our plastic population we fear that this class of closet theorists—which embraces a large number of very intelligent, but by no means practical-minded men—are likely to do some serious mischief to our institutions. It is no uncommon thing among the most uneducated, for well-meaning men, when their minds are first touched with religious fervor, to abandon the plough or the shop-board and launch among their fellows as teachers and explainers of the sacred doctrines of the bible, and the 'zeal without knowledge' of these people has often brought the word of God into ridicule. So with the retired man of science, who has perhaps reached the meridian of life without mingling intimately with the actual world around him, when some chance ray of political light, first trembles through the window of his study, and rouses him to take an interest in the out-door movements of the times; he too must fain turn himself into an expounder of our political bible, and girding up his loins for the good work, he sallies forth upon his errand as full of his subject as his proselyting brother of the shop, and just about as well qualified for his well-meant mission.

Political teachers of this order will never descend to the use of a little manual like that whose title suggested this article; but those who are to be their disciples should by all means familiarize themselves with some treatise of this kind, for it is only by a broad dissemination of sound political ethics in connection with a knowledge of the *facts* with which we have to deal in the machinery of self-government, that the disorganizing reveries of utopian dreamers can be divested of all danger. (Taylor & Clements, New-York, 1840.)

Professor Da Ponte.—The death of Lorenzo L. Da Ponte Professor of Civil and Literary History in the New-York City University, has excited a wide sensation of regret in many a circle and one of deep bereavement in those wherein he was personally known. The sentiments expressed in the following obituary notice will claim the sympathizing concurrence of the many friends who mourn the untimely death of Mr. Da Ponte. It is presumed to be from the pen of the Editor of the Evening Post, than whom no one is better qualified to speak of the departed scholar and poet.

Mr. Da Ponte's extensive reading and varied attainment had given him, even when quite young, a high stand among our men of letters. At the early age of twenty-one he was appointed Professor of Rhetoric and Belleslettres in Washington College, Maryland. After the destruction of the college edifice by fire, he resided for a short time at Philadelphia, and then established himself permanently in this city, filling in succession various responsible situations in the line of his profession. He was one of the few among us who loved learning for learning's sake, and his rapid progress in knowledge was the reward of his devotedness. Mr. Da Ponte was the author of an excellent History of Florence, written in a truly republican and philosophic spirit. He prepared for the press an elaborate edition of Æschylus, with copious notes, the manuscript and stereotype plates of which were unfortunately destroyed by fire. He published, for the benefit of his Italian classes, a compend of Italian grammar, peculiar in the happy arrangement of its matter. Our larger periodicals found in him an occasional and much valued contributor. To his historical and classical attainments, which were quite remarkable, he united poetic talent of no common order. Beside three tragedies written at an early age, he was the author of a number of shorter compositions of unusual merit, and his 'Belshazzar' alone, manuscript copies of which are now in the hands of his friends, would be sufficient to establish his poetical reputation.

The distinguishing trait of Mr. Da Ponte's mind was a passionate interest in the great drama (for so it appeared to him) of social improvement, and an ardent—perhaps an impatient—longing to be present at each successive scene. In the various vicissitudes of health and fortune to which he was exposed, nothing cheered him more than a sight of the gradual unfolding of the great plan of human progress. Sustained by this consoling faith, he saw nothing to fear, but, on the contrary, every thing to hope, in the admission of the whole brotherhood of man to a participation in the privileges of civil and religious liberty. His political preferences were controlled by this consideration, and his love of universal justice regulated the degree of his attachment to sects and parties. He had the faculty, so essential to the instructor, of warmly interesting in the cause of moral progress the youth entrusted to his care.

Southern Literary Messenger.—The January number of this favorite periodical was intermitted to afford an opportunity for the appearance of the work in an entirely new dress and for other arrangements; and accordingly the January and February numbers are now together before us, bound up together, and forming an amount of matter quite equal to a Quarterly Review or an ordinary duodecimo volume. The Messenger has ever been distinguished by neatness and typographical beauty, but in its novel garb its superficial attractions are sensibly heightened. Whether its substantial merits are likewise increased we shall determine by a hasty ramble over its inviting pages.

"The New Year" is the title of a brief and pertinent Editorial address. The embarrassments which now weigh down the periodical press of this country are urgently and feelingly stated—we will hope to good purpose.

"Dr. Channing and Lord Brougham" is the title of a spirited and enthusiastic defence of our eminent Divine against a most envenomed and unfair criticism in the Edinburgh Review of last April, attributed to Lord Brougham.

"Iruri, or the Bride of a Star," is an ambitious flight at poetry of some two hundred lines, not eminently. "The Egyptian Girl's Song" which it embodies, is very fair.

"Spanish Romance—Isabelle, the White Rose of Spain," is a tale of the days of Chivalry, by a young Western writer, which is quite equal to some recent ventures, in the same field, of Washington Irving. It will be read with pleasure by all the young readers of the Messenger, and by all who have not forgotten that they once were young.

"The Night of the Coronation" (Victoria's) by Miss Charlotte M. S. Barnes, does credit to the heart but none to the intellect of the writer. It essays to be blank verse, which it decidedly is not, nor any verse at all. How can one who has ever read a page of real verse imagine such lines as these to be measured:

> "It is the dead of night; all London is at rest;
> Save where from yonder wide, illuminated street,
> The hum of crowds who seek with eager step their homes
> Breaks on the watcher's ear," &c. &c.

We have taken the four first lines as a sample, but they are by no means the worst. However they are not verse at all.

"The Smithsonian Institute" is the theme or rather the text of one of the noblest essays that has enriched the periodical literature of this country. The real subject is Education in its broadest sense, and the writer boldly maintains those radical views of the relative inutility of dead languages as compared with living sciences which we are rejoiced to see advanced by those whose writings are calculated to exert an influence over the public mind. He insists that Congress should devote the munificent bequest of Mr. Smithson to the establishment at Washington of a National Institute of Science—not a rival to the Universities and Colleges already existing in the country, but a Seminary of essentially different character, and occupying a distinct department of the great domain of Knowledge. These views are set forth with the eloquence and power which truth ought ever to command. They must make a vivid impression on all who read them We propose to make extracts from this essay.

"Lord Byron" is made the theme of a flimsy sophomoric essay—happily a short one.

"Early Lays of W. Gilmore Simms," are fraught with melody and true poetic feeling. These Lays are an ornament to the Messenger.

We have not time to speak further this week of the contents of the Messenger, though we have not yet 'progressed' through one-third of this double number. There are articles on "Slavery and the Constitution" by Conway Robinson, Esq.—an able review of the recent controversy between the Executives of New-York and Virginia, respecting the obligation imposed on the former by the Federal Constitution to surrender persons charged with stealing (aiding the escape of) slaves within the jurisdiction of Virginia—an important subject most ably treated by a distinguished Virginian; on "Murray's Travels" in this country; on William Cullen Bryant; on Canova, by H. T. Tuckerman; on the Rights of Authors, (H. G.) and on some other topics.

The Messenger is now fairly started on the sixth year of its existence. For five years it has been a champion of the rights and institutions, an ornament to the literature, and a credit to the general character of the South; and not alone of the South, but of the Union. No work of equal merit was ever sustained for five years in a city no larger than Richmond, and a State so little urban or commercial as Virginia, however well patronized from abroad. We rejoice at its entrance upon a new volume with every augury of permanent and general popularity. (T. W. White, Richmond, Va.)

Memoirs of the French Revolution: by Mad. Tussaud.—This is a light, gossipping work made up of sketches of character and anecdotes of the times, compiled from the personal reminiscences of Madame Tussaud and put together or edited by Francis Hervé, Esq., author of a 'Residence in Greece and Turkey, &c.' The work which is well got up by Lea & Blanchard of Philadelphia, is, we presume, an American reprint of a European publication, though not a word is said of this in the title page. It is to be had of the Messrs. Carvills, in Broadway.

"Trials of the Heart," by Mrs. Bray—(Reprint from the English)—This is a two-volume collection of tales readable enough in their way and having about the average merit of our American Magazine stories, but if written on this side of the water we imagine they would hardly have been commended to the public in their present shape. The leading story of "Prediction" is decidedly well told, but the others are of inferior interest, and in one of them "The Vicissitudes of Life," we find more than one positive instance of bad grammar.—In the present dearth of light publications, however, almost any kind of light reading is acceptable. (Published by Lea & Blanchard, and for sale by the Carvills.)

Universal History by A. F. Tytler & E. Nares, in six volumes.—As this is the only copy-right work that we have seen upon our table in some time, we would fain dwell upon it at length. But its well established reputation must sufficiently commend it to the community. A cheap and convenient edition of Tytler's much esteemed work on the elements of General History, has long been a desideratum in this country; and the American Editor has rendered acceptable service in preparing this revision for the public. The share of Dr. Nares in the work has added a sixth volume which brings down the work to the year 1820. The whole forms a most valuable addition to the Family Library. [Harper & Brothers.

☞ The Rev. R. J. Breckenridge, of the 2d Presbyterian Church at Baltimore, has been elected President of the Transylvania University, at Lexington, Ky.

ENGLAND AND AMERICA.—An unwillingness to be numbered among the class of croakers must not prevent us from calling the attention of our readers to some of the signs of the times, which we think are sufficient to inspire every one with some slight degree of anxiety as to the continuance of the existing peaceful relations between this country and England. The late correspondence between Mr. Forsyth and Mr. Fox, the British Minister at Washington, may by itself be considered as carrying no very serious import with it. Mr. Fox explains the erection of barracks by the British, which, he says, was done from apprehension that Gov. Fairfield and the State of Maine were about to renew the invasion of the territory. Mr. Forsyth considers the erection of the barracks requires further explanations and pacific assurances. But viewed in connection with other facts, the progress of this correspondence must awaken the most serious concern. The Buffalo Republican states positively, that the British have commenced the building of two steam frigates at Chippewa, below that city, under the superintendance of an agent from England. We learn, also, from the Detroit papers, that barracks nearly opposite that city are nearly completed for the accommodation of two thousand men; with block houses, stockades and batteries, sufficient to batter down the city whenever Her Majesty's officers may think proper. These warlike preparations on one part of our frontier may indeed be accounted for by the past difficulties in Canada, just as similar martial manifestion in another would seem to grow naturally out of the condition of the disputed territory in Maine. But these are not all the signs of the times. There are two others far more important, viz. a recent visit of some of our Northwest Indians to the Bristish post of Malden, and some pretty decided indications of a rapid change of public feeling in England toward this country.

The Winnebagos, Sacs and Foxes, and other Northwestern tribes within our territory, and dwelling immediately upon our settled borders, have always, till within the last three or four years, been kept in the pay of the British Government. They did good service to the Crown in the war of 1312, and England has ever been so loath to let go her hold upon their affections, that it is only of recent years that the remonstrances of our Government have succeeded in putting an end to the British system of making them annual presents through the deputies of the tribes convened at Malden. The last payment, if we remember aright, was made during Mrs. Jameson's visit to the Upper Province. She witnessed and described the array of stipendiary chiefs as they last presented themselves. Now, the renewal of this singular alliance at such a season is, to say the least of it, portentous; an alliance wholly unprecedented in its character in the history of nations—for what nation ever willingly permitted a foreign potentate to subsidize a warlike tribe living within its own territories?—an alliance which one would think could never be renewed in times of peace, when it was once broken up. Yet such was precisely the conduct of England when our last conflict with her was impending, and indeed the activity and extent to which she tampered with the Indians upon our frontiers had almost precipitated that war long before hostilities were finally brought about by other causes.

These, however, it may be said, are only acts of precaution becoming that wise power, whose policy, if not overreaching, is certainly far-reaching. She would only entrench herself in a position so strong that we can hope nothing from her weakness that would not be conceded by her justice. Besides, it will be argued—it is every day so argued—we live at a period too civilized—we are too closely bound together by the ties of commerce, of good feeling, of mutual interest, to commence cutting each other's throats, after the old fashion of settling national difficulties. And this brings us to our second point of significance, which is, to ask whether the state of public feeling in England toward this country has not already undergone a very decided change—whether the views of her own interest are not rapidly altering? The accursed slave question, so much agitated there, has its influence upon public feeling, justly exacerbated by the buccaneering invasion of the Canadas. The diminished value of our custom to her workshops and her money-shops has its weight with personal interest. In a word, would not a war with us be now far less unpopular in England than it would have been some two or three since? And might not Ministers think it expedient by such a war to find vent for that yesty spirit of the English people which now struggles for an outlet in 'Chartism'? These speculations and surmises may seem perfectly idle, and most earnestly do we trust that they are so. But it may be that our people are reposing too securely upon a presumed state of public opinion in England as a final guaranty against the outbreak of hostilities, whatever complexion the Maine question may assume. A distinguished American now in London, and one whose talents and years and matured experience in affairs—one whose kindly and well-attempered nature makes him the last man in the world to see offence where offence is not—a man whom no officious zeal would prompt to thrust himself forward in defence of his country, unless the occasion fully exacted his eloquent aid—closes an appeal to the English public with the following grave and striking passages:

It is not without extreme reluctance, that I have prepared these observations; it is not without a feeling as of personal degradation that I submit to defend my country against the imputations to which I have referred. It is now about two years—about the time of the arrival in London of the agent of the Bank of the United States—that a systematic attack on American credit and on the American character was begun in this city. Who are the real authors of this attack, and what are their motives, I omit to inquire. What are the private interests affected by the introduction of American securities, that seek their own protection in the destruction of their rivals, I know not, nor care to know; but against the means employed, I earnestly and solemnly protest. During the period I have named, a torrent of coarse vituperation, of virulent abuse, imputing acts and motives the most vile and dishonorable, has been poured from the columns of the *Times* and other journals on the American States and the American people. *For a long time I hoped and believed that calumnies so wicked and dangerous, so prejudicial to the interests of both countries and threatening to their peace, would be indignantly rebuked and repelled, at least by a portion of the English press and the English public; but such has not been the case; and if general silence is to be deemed a proof of general acquiescence, the accusations against us are believed to be true.* Under these circumstances it becomes Americans in future to remain silent; it is not fitting that we should appear as criminals at your bar, to plead our innocence. I know that our silence has been censured; but what is it that we are required to say? That we are not quite as dishonest and fraudulent, as lawless and unjust; not quite the cheats, and swindlers, and levellers, and anarchists, and infidels, that your press has chosen to represent us; that we are not quite sunk to the level of the savages that surround us; that we retain some few of the elements, some faint traces of the civilization that you bequeathed us, and, in sober truth, have not cast off all regard for decency, and law, and order, and religion. No! no! no!

If the English nation can believe that the people of the United States are so corrupt and demoralized, so destitute of public and private faith that no reliance can be placed on any engagements they may form, it is well that we should know that such *are* the sentiments with which you regard us; not that we may seek, by humble apologies and whining remonstrance, to soften your prejudices and propitiate your favor, but that the necessary measures may be taken for abolishing for ever the intercourse that, whilst it continues, must continue to subject us, as a nation and as individuals, to contumely, insult, and dishonor.

The true feelings of the American people—I speak of the past; I cannot answer for the present—towards England, and all that England holds venerable and dear, have in this country been little understood. I speak from a thorough and intimate knowledge when I say that, on this subject, the representations of your travellers are in an especial degree untrustworthy and fallacious. The American people, as a nation, is English; as in language, so in character, habits, feelings, and even prejudices. They are proud of their Anglo-Saxon descent; proud of the mother-country from which they boast to derive their language and literature, their laws and their religion. From our very infancy, the earliest dawn of reason and knowledge, our affections, by the operation of a thousand causes acting on every faculty of our minds, and every feeling of our hearts,—our purest and noblest affections are drawn as by a magnetic force towards our glorious fatherland, and were they not checked as they seek their natural home, and repulsed, and scorned, they would bind us to England with chains stronger than adamant. No manifestations of a singular esteem are necessary; nothing more than a decent civility, nothing more than a tolerable show of candor, an ordinary measure of common justice, is required to make us your truest friends in peace, your firmest allies in war. But if you will it to be otherwise; if you desire to trample on our affections and sympathies, and extinguish our reverence and love; if you would compel us to forget our common origin; would erase from our minds the recollections of the past, and deny us any share or interest in the deeds, the men, the books, the learning, the principles, that we have fondly valued as our common inheritance and common glory; if, in place of the natural and powerful sentiments that attract us towards you—that, met and answered, would cement an indissoluble friendship, would make us one nation, in heart, and mind, and purpose, so that the ocean that *separates* should raise itself in vain to *divide* us;—if, in place of these sentiments, *it is your will* to cherish in your own bosoms, and to plant in ours, an enmity and hatred intense, enduring, unquenchable, it is in your power to accomplish the object. It is this object that the press of England—speaking generally, I speak the truth—is now laboring to effect, and—unless its efforts shall be arrested by a timely and decisive expression of public opinion—will effect

The pamphlet which contains this eloquent appeal is understood to be from the pen of Mr. John Duer, of this city, now in London.

The Lexington.—A public meeting has been held in Boston to take into consideration the plan of making a thorough and complete investigation of the circumstances attending the loss of the Lexington. A Committee was appointed to effect this, and report through the public press.

The following gentlemen compose the above committee: Wm. Sturgis, Geo. Bancroft, Saml. A. Eliott, Geo. Darracott, Benj. Rich, Thos. B. Curtis, Thos. Lamb, Ozias Goodwin, Wm. Appleton, Chas. C. Greene, Thos. C. Amory, Robert G. Shaw, Chas. G. Loring, John Mills.

☞ The President of the United States has officially recognized *George Westfeldt* as Vice Consul of Sweden and Norway for the port of Mobile.

The Mail Difficulty.—It is stated that no arrangement has yet been effected in relation to the Mail Transportation between Baltimore and Philadelphia: the Committee appointed by the Railroad Company to confer with the Department having returned without success. The Mail will therefore be continued on the present route.

"Them Bloodhounds."—A memorial is in circulation in Philadelphia for signatures, praying for Congressional interference in abating the nuisance caused by the introduction of the brave army of dogs to wage a bloody and exterminating strife against the Seminoles. The petition stigmatizes the measure as "a deep and lasting disgrace on the national character."

Useful Invention.—A machine has been devised by some ingenious denizen of Yankee land which gives a self-producing alarm in cases of fire. The principle is founded on the expansive power of metals. A patent has been taken out for it.

☞ Shearer, the kidnapper of the boy Francis in Massachusetts, and who transported him to Virginia, with the intention of selling him as a slave, has been sentenced by the Supreme Court of Massachusetts to two days solitary imprisonment, and confinement to hard labor in the States Prison, for the term of seven years.

The Amistad.—Notwithstanding the contradiction recently circulated, the New-Haven Palladium reasserts that an appeal has been taken from Judge Judson's decision by the Spanish Minister, in the case of Amistad. These conflicting statements were caused by the assertion that *all* the parties concerned had excepted to the decision, whereas only one had.

Last news of John Smith.—He and another individual named Charles Wood were found guilty at Harrisburg, a week since, of robbing the trunk of a canal passenger.

Fire.—On Monday evening a fire broke out in the building on Gold-street, between Beekman and Ann, occupied by Mr. William Sharpe as a cabinet warehouse. The whole was destroyed. There was property to the amount of over $50,000 on the premises, $10,000 of which was rescued from the flames. The insurance amounted to $6,000. The next morning the walls of the building fell, with a tremendous crash, in one heap of ruins, burying underneath them four or five persons.

There is reason to suppose the above is the work of an incendiary, as the fire was discovered in a part of the premises where no fire had been kept.

Post Office Arrangements.—During the week ending 25th January, new offices were established at East Glenville, Schenectady Co., and East Rodman, Jefferson Co. The following Postmasters were appointed for offices in this State during the same period: Barzilla Budlong, Cassville, Oneida Co.; Franklin S. Kinney, Cityville, Richmond Co.; Edward Cornwall, Gainesville, Genesee Co.; Bracey Tobey, Jr., East Glenville, Schenectady Co. [Com. Adv.

Report of the Bank Commissioners.—In the Annual Report of the Bank Commissioners of this State, we find the following comparative statement of all the old Banks in this State, not including any of the new. Of the old Banks there are ninety-six in number.

RESOURCES.

	1st of Jan. 1839.	1st of Jan. 1846.
Loans and discounts	$68,300,486	$52,788,206
Real estate	2,557,655	2,398,695
Stocks	911,623	3,653,170
Bank fund	740,217	820,438
Specie	6,602,708	5,864,434
Notes of other Banks	3,007,137	4,401,400
Cash items	2,838,674	2,310,161
Due from Banks, &c.	14,309 483	6,543,125
	$100,168,003	$79,318,629

LIABILITIES.

Circulation	$19,373,149	$10,629,514
Loans	492,111	326,610
Due Canal Fund	3,291,713	3,100,138
Due depositors	18 370,044	16,051,391
Due dividends	527,996	421,644
Due Banks, &c.	15,344,098	7,055,584
	$57,399,111	$37,585,081
Capital and profits	42,768,892	41.733,548
	$100,168,003	$79,318,629

The loans of the Banks have decreased since January 1, 1839, $15,512,000, and this has been since October, when the process of contraction began. The contraction by the Country Bank is $6,465,000, and by the City Banks about $9,000,000.

A reduction of so large a sum as twenty millions of the liabilities of the Banks, within so short a period as about ninety days, is unprecedented, and could not have been produced without a severe effort. Their available means at this time are consequently unusually low, but their liabilities to the public never were so small. It will be observed that the amount of specie and bank notes on hand equals, by about half a million, their entire circulation. Their intercourse with each other has been contracted, in consequence of the derangement of collections at home, by the causes before mentioned, and abroad by the suspension in other States.—The Bank balances now are reduced to about six millions on one side, and seven on the other, which ordinarily range from fifteen to twenty millions.

The following is the statement of the twenty-two New-York City Banks:

RESOURCES.

Loans and discounts	$26,900,173
Real estate	1,514,778
Stocks	3,360,336
Over drafts	82,669
Expenses and personal estate	194,485
Band fund	443,415
Specie	4,496,137
Notes of other Banks	3,231,103
Checks and cash items	1,983,s96
Due from Banks and Corporations	3,130,336
Other investments	43,544
	$25,377,622

LIABILITIES.

Capital	$20,161,200
Circulation	4,028,737
Loans on time	225,610
Due to Canal Fund	1,511,914
Profits	2,457,338
Deposits on debts	20,959
Dividends unpaid	293,229
Deposits	12,455,801
Due other Banks and Corporations	4,223,845
	$45,379,632

[N. Y. Express.

APPOINTMENTS BY THE PRESIDENT.

By and with the advice and consent of the Senate.

Franklin Clinton and James K. Bowie to be Lieutenants in the Navy.

CUSTOM HOUSE OFFICERS.—*Collectors*—Nicholas Willis, district of Oxford, Md. William F. Haile, for the district of Champlain, at Plattsburgh, New York. Dennis Pricur, for the district of Mississippi. Thomas A. S. Donephain, for the district and port of Natches, Miss. George D. Hale, for the district of Gloucester, Mass. James R. Pringle, Charleston, S. C. from the 29th January, 1840.

Surveyors—James R. Thompson, for the port of Town Creek, Md. Alexander K. Philips, Fredericksburg, Va. Ely Moore, New-York. William Williams, East River, Va. Joseph Litton, Nashville, Tenn. Nathaniel P. Porter, Louisville, Ky. Aaron Hart, Pittsburgh, Pa. Jefferson L. Sangston, Wheeling, Va.

Appraisers—Charles J. F. Allen, Boston, Mass. Edward A. Raymond, Boston, Mass.

LAND OFFICERS.—*Registers*—Marvellous Eastham, at Springfield, Ill. Benjamin R. Petrikin, at Du Buque, Iowa. George R. Girault, at Choochuma, Mi.

Receivers—Woods Mabury, at Jeffersonville, Ia. Edwin McName, at Helena, Ark. A. S. Lewis, at New Orleans, La. Jonathan Kearsley, at Detroit, Mich. George W. Cole, at St. Augustine, Fa.

Fortifications on the Frontier.—A letter from Queenstown, published in Mackenzie's Gazette, states that our Government is building a new fort at Youngstown—that the British Government is building a garrison and fortress on the site of the old French fort near Toronto, on the Lake shore, at an expense of $120,000; and that Burlington Heights, at the head of Lake Ontario, are to be strongly forfeited in the spring.

APPOINTMENTS BY THE GOVERNOR AND SENATE.

New-York.—Abraham Bokee and Alexander Latham, measurers of grain; John Inman, com. of deeds; Nathaniel T. Eldredge, notary public; John A. Sidell, master in chancery.

Ulster.—James N. Mitchell, surrogate; Samuel W. Pierce, master and examiner; John L. Ferris, master, and John L. Lyon and Marius Schoonmaker, examiners in chancery; the latter also Supreme Court Com.

Clinton.—Eleazer Miller, surrogate; Gordon Y. Thomas and Esek Angel, coms. of loans; Peter Keese and Samuel Chatterton, coms. for loaning moneys of the U. S.; John Warford, S. C. Com; George A. Standish, master and examiner in chancery; Rufus A. Gilman, inspector of lumber; Amasa C. Moore, notary public; Joseph Durkee, inspector of beef and pork; Congdon Douglass, of sole leather.

Essex.—Orlando Kellogg, surrogate; Charles F. Tabor, master in chancery; Thomas A. Tomlinson, S. C. Com; Aaron B. Mack, com. for loaning moneys of the U. S.; Hiram Everest, inspector of beef and pork, and Chester Stevens, of lumber.

Herkimer.—Arunah C. H. Smith, first judge, and Ira Coe, judge of the county courts; Aaron Petrie and Cornelius T. E. Van Horne, coms. for loaning moneys of the U. S.; Edward P. Seymour and Jeremiah Drake, coms. of loans; Matthew Myers and James Macauley, masters, and Matthew Myers, examiner in chancery; Elisha S. Capron, S. C. Com.; Martin Bettinger and Lawrence L. Merry, notaries public.

Chemung.—James Dunn, surrogate; Aaron Conkle, S. C. Com.; Stephen T. Covell, notary public; George Kingsbury, com. for loaning moneys of the U. S.

Allegany.—John G. Collins, surrogate.

Tioga.—Nathaniel W. Davis, surrogate; Samuel Barager and Charles H. Barstow, coms. for loaning moneys of the U. S.; Daniel More, com. of loans; James Wright, S. C. Com.; Ezra Sweet and William Platt, masters and examiners in chancery.

Orleans.—Henry Angevine, first judge of the county courts; Dan H. Cole, surrogate; Jeremiah Freeman and Daniel Sturgess, coms. for loaning moneys of the U. S.

Ontario.—Alexander Jeffrey, notary public. Francis Dwight, master in chancery. Barzillai Slosson S. C. commissioner. Edward P. Rees and Samuel B. Keendis, notaries public.

Westchester.—Philip Clapp, of Cortland, com. for loaning moneys of the U. S.

Dutchess.—Frederick W. Davis, notary public.

Sullivan.—William B. Wright, Supreme Court Com.

Albany.—David E. Gregory and David Lockwood, jr., coms. for loaning moneys of the U. S.; Sellick Whitney, Harbor Master; Harman G. Wynkoop, inspector of domestic distilled spirits, and Joseph S. Clark, of pot and pearl ashes; Levinus J. Lansing, judge of the county courts; James P. Gould, David Goodrich, Samuel S. Cullings, David Mink, Simeon Thayer and Minor King, inspectors of lumber; Henry Wright, measurer of stone; Isaac B. Van Aernam and Abraham Covert, inspectors of sole leather; Philo Booth and Philip Fredenrich, of beef and pork.

St. Lawrence.—John D. Judson, notary public.

Washington.—Edwin Andrews and Andrew Thompson, notaries public.

Warren.—Ira A. Paddock, master in chancery and S. C. Com.

Oneida.—George P. Tyler, notary public.

Oswego.—Philo Stevens, notary public; Charles J. Hulbert, S. C. Com.

Cattaraugus.—Andrew Mench, master and examiner in chancery; Chester Howe and Joseph E. Weeden, S. C. Coms.

Broome.—Mason Whiting, S. C. Com.; Peter Robinson, master, and Jacob Morris, examiner in chancery; Samuel Brown, notary public.

Chenango.—Russell Case and Luman McNeil, coms. of loans; Eli Tarbell and Edmund G. Per Lee, Coms. for loaning moneys of the U. S.

Steuben.—Otis Thatcher, Lazarus Hammond and Sylvester Smith, judges of the county courts; Charles Adams and Ten Eyck Gansevoort, coms. for loaning moneys of the U. S.; David Rumsey, jr., surrogate; David McMaster and Thomas A. Johnson, S. C. Coms.

Onondaga.—Isaac T. Minard, of Lysander, surrogate.

Seneca.—Charles L. Hoskins, com. for loaning moneys of the U. S.

Chautauque.—Chauncy Smith, notary public; John M. Keep, master, and John G. Hinckley, examiner in chancery.

Erie.—George R. Babcock, of Buffalo, S. C. Com.

Monroe.—Joseph Ganson, notary public.

Erie.—Joshua C. Brainard, inspector of flour and meal.

Richmond.—Roderick N. Morrison, commissioner to perform certain duties of a judge of the supreme court. Henry B. Metcalf, first judge, and Daniel D. Clawson and Nicholas Crocheron, judges of the county courts. Henry B. Metcalf, master in chancery. William S. Emerson, John B. Simson, William S. Root, and Ogden Edwards, Notaries Public. John Britton and Abraham C. Blake, special wardens of the port of New-York, to reside at the quarantine ground. Daniel L. Clawson and Nicholas Crocheron, commissioners for loaning moneys of the U. S. Charles H. Stobbins, weigher at the quarantine ground. James Holmes, inspector of lumber.

Suffolk.—George Miller, to be surrogate. Daniel G. Gillet, judge of the county courts. William P. Buffett, master in chancery. William Thatford, inspector of lumber. Ebenezer W. Case and Josiah Powers, commissioners for loaning money of the U. S. Henry T. Deering, notary public.

Orange.—Joseph R. Andrews and Stephen W. Fullerton, judges of the county courts. Samuel J. Farnharm and Jas. C. Reeve, commissioners for loaning moneys of the U. S. Isaac K. Van Duzer, Supreme Court commissioner. Ebenezer C. Sutherland, examiner in chancery.

Ulster.—James S. Evans, Notary Public.

Rensselaer.—Cornelius L. Tracy, surrogate. Thomas Clowes, canal appraiser. Elijah J. Collins, inspector of beef and pork.

Schenectady.—Richard McMichael, justice of the peace: Hooper C. Van Vorst and James Gilbert commissioners of deeds.

☞ Our valued contributor has certainly a call upon us to give place to the following, though our proof-reader insists that the blame implied must not rest wholly with him; for, while his being amused to the hand-writing of our correspondent will account for some oversights, the real blunders in the printing of the article must be attributed to the fact that the ingenious man, in good sober faith, set them down for '*Coleridgeisms.*'

To the Editor of The New-Yorker:

Your proof-reader, in league with the 'devil,' has introduced sundry errors into my Review of Gillman's Life of Coleridge, which I am unwilling to father. Besides a number of blunders attributable to my own haste, there occur the following typographical mistakes, which I will be obliged to you for correcting:—In the note, for '*Aphonisius*' read *Aphorisms*; and for '*in an eye where* the darkness' read '*in an age when,*' &c. In the text, for '*above* and *below* all' read '*above* and *beyond* all.' Instead of '*it is not* a fragment of an unfinished work' read '*it is but* a fragment,' &c. For '*mightiest*' read 'brightest,' and for '*mined,*' 'ruined.' It is difficult to discover any meaning in the following sentence: "Our others, his domestic troubles, remain untouched.' It should be, '*One other,* his domestic troubles, *remains* untouched.' For '*as* in all *the* places' read '*as* in all *other* places;' and for *were* in the sentence 'the first *were* the vision of a Happy Home,' read *was.* I find that I was heedless enough to set at naught the dictates of common sense, (not to mention those of Coleridge and Col. Stone,) by making use of the pseudo-English adjective *talented.* Let this confession atone therefor. In the second part, in speaking of Coleridge's conversation, for 'it was delicate, reverend and *cautious,*' read 'it was delicate, reverend and *courteous.*' The meaning of the following sentence, as printed, is spoiled by false punctuation: 'His imagination, which always reveled in the most boundless creations, is shown in every page to have been of the wildest and most powerful stamp: sweetness of feeling, delicacy of taste, power and sublimity of thought, language that seemed itself a living atmosphere of light and of glory, the most beautiful imagery and the most harmonious measure are displayed in almost every line of his poems.' By those who were sufficiently interested in the subject to read the article, these corrections will not be deemed intrusive; and as for the others, they will probably not take the trouble to be displeased with them. Yours, &c. H. J. R.

Married,

Feb. 5, in this city, by the Rev. George Coles, Mr. James Sebring to Miss Rachel Requa—all of this city.

Jan. 29, by Elder Isaac N. Walters, Mr. David Aldrich to Miss Mary Moran—all of this city.

At Jamestown, Chautauque Co., by the Rev. E. J. Gillet, Mr. Zalmon G. Keeler to Miss Joanna B. Crosby.

Died,

Jan. 30, in this city, Abby T., daughter of Stacy Hall, of Portsmouth, N. H., 22.

Jan. 30, Jennet, widow of the late Col. Robert Troup.

Feb. 3, Ann White, 53.

Jan. 5, Judson Canfield, Esq., 81. Also, Mary F., wife of Jonathan Odell, 25.

Feb. 1, Mrs. Margaret Young, in the 80th year of her age.

Feb. 2, Charles Isaac, youngest son of Isaac Lewis, jr., 2 years. Also, John W., only son of George Seaman, 34.

Jan. 29, at New-Haven, Ct., Hetty H., wife of Simeon P. Smith, of this city, 30.

THE EVERGREEN FOR FEBRUARY.

THE SECOND NUMBER of this neat and compendious monthly magazine is now published by J. Winchester, and for sale at 23 Ann street. Among its new and various contents are, FALSEHOOD AND TRUTH, a Drama, translated from the German of the Princess Amelia, by Mrs. Anna Jameson; Dewey's Discourse on the burning of the Lexington; the best articles from the latest British magazines and annuals; Wreck of the Hesperus, by Longfellow; A new Tale, by Washington Irving; Laugh and Grow Fat, by Fitzgerald; The Money-Lender, by Douglas Jerrold; The Inquest, by Richard Johns, a narrative of thrilling interest; Poems by Washington Allston; A Tale by the author of the Scottish Chiefs; with an unusual variety of new and interesting tales, affording, in a shape suitable for binding, the best specimens of the current literature of the day.

The EVERGREEN for February is also embellished with a beautiful piece of Music.

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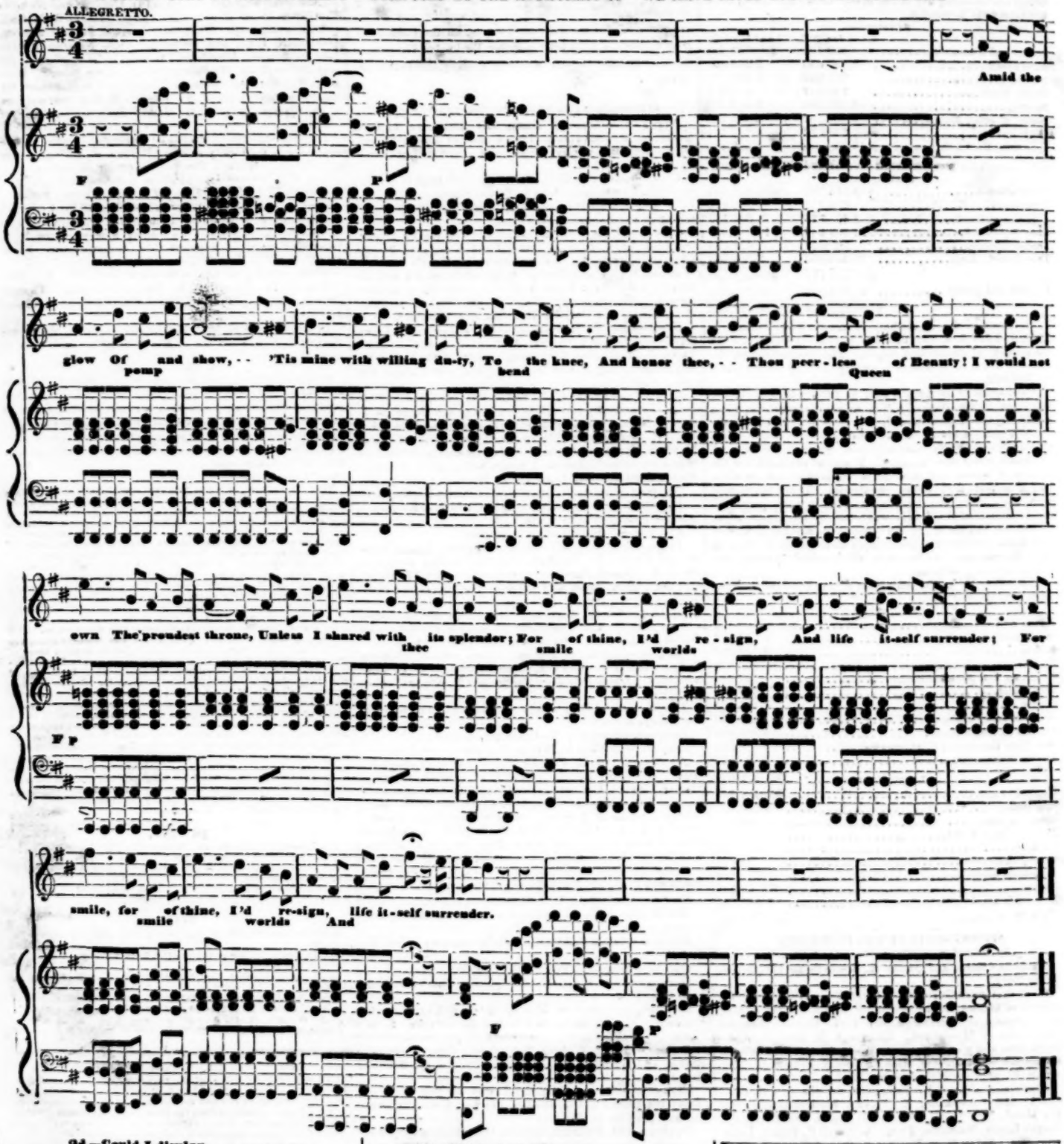
J. WINCHESTER, Publisher, 23 Ann st.

QUEEN OF BEAUTY.

A SONG — SUNG BY MISS SHIRREFF — COMPOSED BY THE AUTHORESS OF "WE HAVE LIVED AND LOVED TOGETHER."



3d.—Could I display
Unbounded sway,
And rule the world at pleasure,
I'd freely bear
The toil and care
That thou might'st have the treasure:
I would decree
That all should be
Observant to revere thee,
With bended knee
Most courteously
Though Princes, Kings, were near thee!
With bended knee, &c.

3d.—I'd deck thy throne
With gems alone
Of Earth, and Sea, the rarest,
And then unfold
A "Cloth of Gold,"
To kiss thy footsteps fairest!
At Honor's call
I'll venture all,
Nor shrink from sternest duty;
Court even death
To win thy wreath,
Thou peerless Queen of Beauty!
Court even death, &c.

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